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Continuing Challenges in Global Trade

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In addition, there are links to the video recordings, PowerPoints and handout materials of the

- [2018 Year-End Import/Export Review in Santa Clara](#) and
- [2017 Year-End Import/Export Review in Santa Clara](#) as well as Presentation Materials from the
- [Asia Pacific International Commercial and Trade Client Conference \(Tokyo November 2018\)](#).

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United Nations

Security Council Resolutions [dd-mm-yy]

Date	Title
14-11-18	S/RES/2444 (2018) The situation in Somalia and Eritrea - Repeal of sanctions against Eritrea

World Trade Organization (WTO)

Communication from India and other Member States to amend DSU

On 23 November, 2018, India and other Member States called on all Member States to fill vacancies on the Appellate Body and to amend certain provisions of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* (DSU), circulated by the General Council vide [Notification No. WT/GC/W/752](#) (dated 26 November, 2018).

Subsequently, India, the European Union and China proposed additional amendments to the DSU with aim at strengthening independence and impartiality of the Appellate Body, improving efficiency so as to enable it to meet required timeframes, and ensuring an orderly transition as well as an orderly launch of selection procedures, circulated vide [Notification No. WT/GC/W/753](#) (dated 26 November, 2018).

WTO, UNCTAD, ITC sign MoU to provide businesses with better access to trade data

On 23 November 2018, the WTO [announced](#) that the WTO, the United Nations Conference on Trade and Development (UNCTAD) and the International Trade Centre (ITC) signed a Memorandum of Understanding to advance the development of an online platform — the Global Trade Helpdesk — aimed at providing businesses, and particularly small businesses, with faster and easier access to trade data and information on potential export markets.

An early version of [HelpMeTrade.org](#) was launched at the WTO's 11th Ministerial Conference in Buenos Aires, Argentina, in December 2017. Under the MoU, the WTO, ITC and UNCTAD agree to further develop the platform, with the aim of improving the quality and accessibility of trade information needed by businesses – and in particular, micro, small and medium-sized enterprises (MSMEs) - to access market opportunities. As part of the agreement, the three organizations will provide technical assistance to developing countries to help them maintain up-to-date information in the Global Trade Helpdesk and will raise awareness among MSMEs about how to benefit from this trade information.

By making trade data freely available through a user-friendly interface, the Global Trade Helpdesk will make it easier for companies across the world to increase their participation in world trade and reduce trade costs. It will help policymakers make better-informed decisions about trade and investment policies and will ensure that the international community provides better support to MSMEs.

WTO report shows sharp rise in trade-restrictive measures from G20 economies

The [WTO's 20th monitoring report on Group of 20 \(G20\) trade measures](#) issued on 22 November shows that the amount of trade covered by new import-restrictive measures hit a new high during the current reporting period. The estimated US\$ 481 billion in trade coverage of these new measures imposed by G20 economies from mid-May to mid-October 2018 is more than six times larger than that recorded in the previous reporting period and the largest since this measure was first calculated in 2012. The report also shows that the trade coverage of new import-facilitating measures (US\$ 216 billion) rose significantly during this period but is less than half that of trade-restrictive measures. WTO Director-General Roberto Azevêdo warned the report's findings constitute a source of serious concern and called for immediate action to de-escalate the situation.

Goods Council considers revised transparency proposal to "reinvigorate" the WTO

The WTO Goods Council on 12-13 November [discussed](#) a revised proposal on enhancing members' transparency and strengthening notification requirements. The proposal had been revised to reflect earlier feedback and is now sponsored by seven delegations. The Council also debated the European Union's proposed changes to its tariff rate quotas in response to Brexit and took up issues related to technology products and other trade concerns.

The transparency [proposal](#) is sponsored by the United States, Argentina, Australia, Costa Rica, the European Union, [Chinese Taipei](#) and Japan. It is based on a US submission first circulated for consideration at the 11th Ministerial Conference last December.

The United States, introducing the proposal at the recent meeting, said there ought to be consequences for members failing to meet transparency obligations as a lack of notifications on trade-related policies hinders the functioning of the organization. The proposal is an effort to encourage better compliance with notification requirements, reinvigorate the organization and improve the transparency necessary to facilitate work across different negotiating topics, the US said. Other members behind the proposal similarly emphasized the need to enhance transparency and better monitor the implementation of the WTO agreements.

Thirty-seven members took the floor to respond to the proposal, signalling high interest in the issue. All 37 highlighted the importance of transparency as a fundamental pillar of the multilateral trading system. A number of members said the proposal was a good starting point for further discussions and noted the improvements compared to the previous US proposal on the same issue. Other members took issue with the use of punitive measures on members and noted the need to consider capacity constraints of developing and least-developed countries.

The proponents plan to hold discussions with all other interested members to further improve the proposal.

EU's tariff-rate quota proposal in response to Brexit causes concern

The WTO [announced](#) that twenty-eight WTO members expressed concern over the European Union's proposal to adjust its tariff rate quotas (TRQ) for agricultural and industrial goods as a consequence of the United Kingdom's withdrawal from the bloc. Members expressed concern that the EU's proposed TRQ changes would reduce the level and quality of access that WTO members currently have to the EU and UK markets.

Members emphasized that the EU is the world's largest agricultural trader and that the EU proposal would have real commercial implications. Members further noted that

the future trading relationship between the EU and the UK was not yet clear and Brexit's impact on third parties' market access thus remained uncertain. In addition, the EU's proposed methodology for calculating the proposed change in TRQs came under criticism. Members highlighted WTO principles which discourage members from leaving trading partners worse off and require appropriate compensation to be negotiated.

The EU confirmed that it had submitted revised data in October for its TRQ renegotiation and recognized that members may need more time to revise or update their claims of interest. The EU said it had received 25 claims of compensation from Brexit's TRQ impact from interested trading partners. The TRQ changes will affect more than 365 tariff lines and is the largest one-time modification of commitments ever undertaken at the WTO.

Restrictions on Chinese technology products

The WTO Goods Council [announced](#) that China voiced its concern over the inclusion of a certain Chinese memory chip manufacturer in the US "Entity List of Export Controls". This prohibits US companies from exporting products, software and technology necessary for the operation of the Chinese company based on national security considerations, China said.

China was of the view this restriction violates WTO rules and abuses the national security exemption set out in Article XXI of the General Agreement on Tariffs and Trade. China said the US measure is intended to maintain US dominance in the industry.

The United States, in turn, said this was a law enforcement action meant to protect national security and intellectual property. China replied it was not appropriate for the United States to use export restrictions in lieu of a court ruling on intellectual property rights violations.

China further took issue with Australia's decision to ban goods and services of two Chinese companies from 5G telecommunication projects in Australia. China said it opposed protectionism under the guise of national security. Australia, in response, said it was committed to safeguarding critical national infrastructure in the telecommunications sector. Australia indicated that its approach is not targeted at any particular country or suppliers from a particular country. Furthermore, the restrictions apply equally to Australian-owned and foreign-owned telecommunication carriers, Australia said.

Members review regional agreements

The WTO [announced](#) that members reviewed the interim *Economic Partnership Agreement between the European Union and Ghana* at the 19 November meeting of the Committee on Regional Trade Agreements. Members also considered the *Eurasian Economic Union* (EAEU) treaty and EAEU accessions of Armenia and the Kyrgyz Republic.

Revised proposal regarding Appellate Body appointments

On 8 November, 2018, India and other Member States revised proposal regarding filling vacancies in the WTO Appellate Body, circulated by the Dispute Settlement Body vide [Notification No. WT/DSB/W/609/Rev.6](#) (dated 9 November, 2018).

Trade Policy Reviews: Armenia and Hong Kong, China

The second review of the trade policies and practices of Armenia took place on 20 and 22 November 2018. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of Armenia](#).

The eighth review of the trade policies and practices of Hong Kong, China took place on 26 and 28 November 2018. The basis for the review is a [report by the WTO Secretariat](#) and a [report by the Government of Hong Kong, China](#).

Recent disputes

The following disputes have been recently brought to the WTO. Click on the case ("DS") number below to go to the WTO website page for details on that dispute.

DS. No.	Case Name	Date
DS 571	Korea - Measures Affecting Trade in Commercial Vessels (Complainant: Japan) - Request for consultations by Japan	13-11-18

DSB activities

During the period covered by this update, the Dispute Settlement Body (DSB) or parties to a dispute took the following actions or reported the following activities. Requests for a panel are not listed (click on "DS" number to go to summaries of the case, click on "Activity" to go to the latest news or documents):

DS No.	Case Name	Activity	Date
DS518	India — Certain Measures on Imports of Iron and Steel Products (Complainant: Japan)	Panel report issued	06-11-18
DS534	US — Anti-Dumping Measures Applying Differential Pricing Methodology to Softwood Lumber from Canada (Complainant: Canada)	Registration opens for screening of second hearing	
DS547 DS556	United States — Certain Measures on Steel and Aluminium Products [Complainants: India, Switzerland]	First request for panels.	09-11-18
DS371	Thailand — Customs and Fiscal Measures on Cigarettes from the Philippines (Complainant: Philippines)	Compliance panel report issued	12-11-18
DS461	Colombia — Measures Relating to the Importation of Textiles, Apparel and Footwear (Recourse to Article 21.5 of the DSU by Colombia and Panama)	Panama files appeal against compliance panel ruling	20-11-18
DS513	Morocco — Anti-dumping Measures on Certain Hot-Rolled Steel from Turkey	Morocco files appeal against panel ruling	
DS544 DS548 DS550 DS551 DS552 DS554 DS564	United States — Certain Measures on Steel and Aluminium Products [Complainants: China, European Union, Canada, Mexico, Norway, Russia and Turkey]	Panels established on second request, but not yet composed	21-11-18
DS557 DS558 DS559 DS560	Canada — China — European Union — Mexico — Additional Duties on Certain Products from the United States [Complainant on all: US]	Panels established on second request, but not yet composed	
DS542	China — Certain Measures Concerning the Protection of Intellectual Property [Complainant: US]	Panel established on second request, but not yet composed	
DS475	Russian Federation — Measures on the Importation of Live Pigs, Pork and Other Pig Products from the European Union [Complainant: EU]	Panel established on second request, but not yet composed	

Statement by the EU to the TBT Committee

On 22 November, 2018, the European Union communicated regarding India - *Stainless Steel Products (Quality Control) Order, 2015* raising concerns that such measures constitute an unnecessary technical barrier to trade and discrimination against foreign producers to have to conduct double testing to access Indian market, circulated by the Committee on Technical Barriers to Trade vide [Notification No. G/TBT/W/570](#).

TBT Notifications

Member countries of the WTO are required under the *Agreement on Technical Barriers to Trade* (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. The WTO Secretariat distributes this information in the form of "notifications" to all Member countries. [See separate section on WTO TBT Notifications](#) for a table which summarizes notifications posted by the WTO during the past month.

World Customs Organization (WCO)

Announcements and news releases [dd-mm-yy]

Date	Title
02-11-18	2nd Workshop of the Regional Training of Trainers (ToT) Programme for the French speaking trainers of the ESA Region on the Revenue Package WCO Regional Training Centre, Mauritius
	Digital Technology and Customs discussed at the Global Trade 2018 Conference in London
05-11-18	WCO diagnostic mission to the Namibia Customs & Excise Directorate (NCE) focused on WTO TFA implementation
	Secretaries General agreed on enhanced IMO-WCO cooperation
07-11-18	Information Management Sub-Committee augments Digital Customs agenda
	WCO Strategic Plan 2019/2022: Consultation with the West and Central Africa region
08-11-18	Georgia accedes to the Revised Kyoto Convention to become 116th Contracting Party
09-11-18	17th RILO Commonwealth of Independent States National Contact Points Meeting (RILO CIS NCP Meeting)
	WCO conducts a Diagnostic mission on Post Clearance Audit for Guyana
	WCO and SADC region agree on a capacity-building roadmap for IT connectivity
	New Program to Support ESA Regional Strategy on "Experts Pool" Launched in Zambia
	Benchmarking Study on Risk Management in Mauritius
	National Workshop on the Harmonized System in the Bahamas
	Belize Customs and Excise Department joins the WCO Mercator Programme
12-11-18	WCO Strategic Plan 2019/2022: Consultation with the North of Africa, Near and Middle East Region
	Georgia accedes to the Revised Kyoto Convention to become 116th Contracting Party
	WCO Holds Successful First Global Integrity Experts Meeting
13-11-18	RILO ECE and WE take part in the PEN-CP kick-off meeting
	The PTC launches the discussion on Small Island Economies
14-11-18	Highlights of the WCO Global Conference on the Comprehensive Review of the RKC
	Hheads of Regional Training Centres in Asia/Pacific Gather to Discuss Ways to Further Contribute to the Region
	Successful WCO Leadership and Management Development Workshop in Mongolia

Date	Title
15-11-18	WCO publishes Report on Illicit Financial Flows via Trade Mis-invoicing
	World Customs Organization dedicates 2019 to transforming frontiers into SMART borders for seamless Trade, Travel and Transport
	WCO is again organising the Rights Holders Consultative Group (RHCG) meeting
16-11-18	Efficient transit regimes discussed by Members of the Europe and Asia-Pacific regions
	Trinidad and Tobago re-engages with WCO
19-11-18	The Revised Kyoto Convention Management Committee Meeting (RKC/MC) held its 19th Meeting on 12-13 November 2018
	CARICOM Trade Ministers welcome cooperation with the WCO
20-11-18	WCO supports capacity building of Vietnam on Advance Ruling and AEO programme
	WCO Strategic Plan 2019/2022: Consultation with Asia/Pacific region
	WCO-UPU Contact Committee endorses joint guidelines on the exchange of electronic advance data on postal items
	WCO visits newest Member Antigua and Barbuda
21-11-18	Focusing on People Development through HRM and Integrity in the Bahamas
	A Boost for Integrity in Customs
	WCO-UNESCAP 4th UNNExT Masterclass on the Single Window Environment takes place in Cheon-an, Republic of Korea
	WCO Supports Lao Customs to strengthen its IPR Border Enforcement
	The WCO releases the 2017 Illicit Trade Report
22-11-18	A train-the-trainers workshop on Customs valuation for Lesotho Revenue Authority
	National Workshop on Strategic Trade Control Enforcement (Kazakhstan, 5 - 8 November)
	Strategic Trade Control Enforcement (STCE) Workshop in Azerbaijan
	50th Anniversary of Receita Federal of Brazil
26-11-18	Opening of the WCO Regional Dog Training Centre in Budapest
	Asia Pacific Members gathered to discuss priorities of the region and way forward
	Zimbabwe moves forward with the implementation of an AEO programme
27-11-18	WCO contributes to the successful conclusion of the EU funded Eastern Partnership IBM Capacity Building Project
	The WCO completed its 3-phase programme to build Togo's capacity in Customs valuation control of imports
	ESA Region Enhances its Capacity in the area of the WCO ECP
28-11-18	Africa seeks ways to make international trade cheaper, faster and easier at landmark forum
	Illegal trade in waste: overview of Operation Demeter IV
29-11-18	WCO supports Guatemala on Time Release Study
	WCO and China Customs carry out debriefing of Operation Demeter IV
	First Cruise Ships Meeting held in Brussels
30-11-18	WCO publishes new tool to assist countries in the prevention of illicit trafficking of cultural heritage

Other International Matters

CITES Notification to Parties

The *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) has issued the following [notifications to the parties](#):

Date	Title
01-11-18	2018/080 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes

Date	Title
	2018/081 Application of Article XIII in the Democratic Republic of the Congo – Reissue of a recommendation to suspend trade in African grey parrots (<i>Psittacus erithacus</i>)
	2018/082 Application of Article XIII in the Democratic Republic of the Congo – Recommendation to suspend trade in stockpiled specimens of pangolins (<i>Manis</i> spp.)
	2018/083 Application of Article XIII in the Lao People's Democratic Republic – Recommendation to suspend commercial trade in rosewood (<i>Dalbergia</i> spp.) and other recommendations
	2018/084 Application of Article XIII in Nigeria – Recommendation to suspend commercial trade in West African rosewood (<i>Pterocarpus erinaceus</i>) and other recommendations
02-11-18	2018/085 Tortoises and freshwater turtles (<i>Testudines</i> spp.) rapid-response identification network
06-11-18	2018/086 Proposals to amend Appendices I and II – Consultation with range States
07-11-18	2018/087 West Africa's strategy on combating wildlife crime • Annex 2: West Africa Strategy on Combating Wildlife Crime Questionnaire
08-11-18	2018/088 Consultation on listing proposal
	2018/089 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
12-11-18	2018/090 Information on the implementation of Decisions 17.145 to 17.148 on Totoaba (<i>Totoaba macdonaldi</i>)
15-11-18	2018/091 Post-2020 global biodiversity framework
	2018/092 CITES Secretariat email addresses
16-11-18	2018/093 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
21-11-18	2018/094 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
22-11-18	2018/095 Proposals to amend Appendices II – Consultation with range States

The Americas - North America

CANADA

Canada imposes sanctions on individuals linked to murder of Jamal Khashoggi

On November 29, 2018, the Hon. Chrystia Freeland, Minister of Foreign Affairs, [announced](#) targeted sanctions under the [Justice for Victims of Corrupt Foreign Officials Act](#) against 17 Saudi nationals linked to the murder of Jamal Khashoggi.

The sanctions target individuals who are, in the opinion of the Government of Canada, responsible for or complicit in the extrajudicial killing of journalist Jamal Khashoggi on October 2, 2018.

These sanctions effectively freeze the assets of these individuals in Canada. Their listing also renders them inadmissible to Canada pursuant to the [Immigration and Refugee Protection Act](#).

While Canada has imposed sanctions on these 17 Saudi nationals, it continues to call for a transparent and rigorous accounting of the circumstances surrounding Mr. Khashoggi's murder. Canada believes that explanations offered to date by Saudi Arabia lack consistency and credibility.

Miscellaneous regulations and proposals

The following documents of interest to international traders were published in the [Canada Gazette](#). (The sponsoring ministry, department or agency is also shown. N=notice, PR=proposed regulation, R=regulation, O=Order)

Publication Date	Title
11-03-18	ENVIRONMENT: Notice of intent to amend the Domestic Substances List under subsection 87(3) of the Canadian Environmental Protection Act, 1999 to indicate that subsection 81(3) of that Act applies to the two substances set out in this Notice (N)
	ENVIRONMENT/HEALTH: Notice of intent to amend the Ozone-depleting Substances and Halocarbon Alternatives Regulations (N)
	ENVIRONMENT/HEALTH: Publication after screening assessment of seven substances in the Anthraquinones Group specified on the Domestic Substances List (paragraphs 68(b) and (c) or subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	ENVIRONMENT/HEALTH: Publication of final decision after screening assessment of 72 substances specified on the Domestic Substances List (paragraphs 68(b) and 68(c) or subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N)
	HEALTH: Final notice — Termination of the Revised In Commerce Substances List nomination process (N)
11-10-18	ENVIRONMENT/HEALTH: Publication after screening assessment of nine substances in the Poly(amines) Group specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
11-14-18	FINANCE: CPTPP Rules of Origin Regulations (SOR/2018-1323, October 30, 2018) pursuant to the Customs Tariff (R)
	FINANCE: CPTPP Rules of Origin for Casual Goods Regulations (SOR/2018-1324, October 30, 2018) pursuant to the Customs Tariff (R)
	FINANCE: CPTPP Tariff Preference Regulations (SOR/2018-1325, October 30, 2018) pursuant to the Customs Tariff (R)
	FINANCE: Regulations Amending the Canadian International Trade Tribunal Procurement Inquiry Regulations (SOR/2018-224, October 30, 2018) pursuant to the Canadian International Trade Tribunal Act (R)
	HEALTH: Regulations Amending the Medical Devices Regulations (Importation) (SOR/2018-225, October 30, 2018) pursuant to the Food and Drugs Act (R)
	HEALTH: Regulations Amending the Radiation Emitting Devices Regulations (Importation) (SOR/2018-226, October 30, 2018) pursuant to the Radiation Emitting Devices Act (R)
	NATURAL RESOURCES: Regulations Amending the Explosives Regulations, 2013 (SOR/2018-231, November 2, 2018) pursuant to the Explosives Act (R)
	TRANSPORT: Regulations Amending the Cargo, Fumigation and Tackle Regulations (SOR/2018-233, November 2, 2018) pursuant to the Canada Shipping Act, 2001 (R)
	INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT: Order Fixing June 17 and 18, 2019 as the Days on which Certain Provisions of the Economic Action Plan 2014 Act, No. 1, the Combating Counterfeit Products Act, and the Economic Action Plan 2015 Act, No. 1 Come into Force . (SI/2018-100, November 14, 2018)
	INTERNATIONAL TRADE: Order Fixing the date of entry into force of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership as the day on which the Comprehensive and Progressive Agreement for Trans-Pacific Partnership Implementation Act Comes into Force (SI/2018-101, November 14, 2018)
11-17-18	ENVIRONMENT: Notice with respect to certain quaternary ammonium compounds in Canadian commerce — Phase 1 (N)
11-24-18	ENVIRONMENT: Ministerial Condition No. 19663 Ministerial condition (Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999) (N) [1,2-

Publication Date	Title
	ethanediamine, N-(2-aminoethyl)-, reaction products with glycidyl p-tolyl ether, Chemical Abstracts Service Registry No. 68411-70-1]
	ENVIRONMENT: Significant New Activity Notice No. 19584 Significant New Activity Notice (Section 85 of the Canadian Environmental Protection Act, 1999) (N)
	ENVIRONMENT: Significant New Activity Notice No. 19655 Significant New Activity Notice (Section 85 of the Canadian Environmental Protection Act, 1999) (N)
	ENVIRONMENT: Significant New Activity Notice No. 19673 Significant New Activity Notice (Section 85 of the Canadian Environmental Protection Act, 1999) (N)
	HEALTH / ENVIRONMENT: Publication after screening assessment of five epoxides and glycidyl ether substances, specified on the Domestic Substances List (paragraphs 68(b) and (c) or subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	HEALTH / ENVIRONMENT: Publication of final decision after screening assessment of five substances in the Poly(bios) Group specified on the Domestic Substances List (paragraphs 68(b) and (c) or subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N)

CBSA advance rulings

The Canada Border Services Agency (CBSA) has enhanced the Advance Ruling ([Tariff Classification](#) and [Origin](#)) and [National Customs Ruling](#) programs by publishing ruling letters in their entirety, with the applicant's consent, on the [CBSA Web site](#).

No advance rulings were posted by the CBSA during the period covered by this Update.

D-Memoranda and CNs revised or cancelled

The following is a list of Canada Border Services Agency D-Memoranda, Customs Notices (CNs) and other publications issued, revised or cancelled during the past month. (Dates are given in yyyy/mm/dd format.)

Date	Reference	Title
11-07-18	CN 18-15	Highway Sufferance Warehouse Closure (Ottawa, Ontario)
11-23-18	D14-1-3	(Revised) Re-determinations and Appeals Under the Special Import Measures Act
11-26-18	D2-1-4	(Revised) Casual Donations – Tariff Item No. 9816.00.00
11-27-18	D2-2-3	(Revised) Seasonal Residents' Effects - Tariff Item No. 9829.00.00
11-28-18	CN 18-05	(Revised) Importation of Vaping Products - under the Tobacco and Vaping Products Act (TPVA)

Antidumping and countervailing duty cases

[See separate **Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews** section below.](#)

MEXICO

IMMEX companies - temporary importation of sensitive goods

Current Situation

Currently those companies with IMMEX Program that need to import on a temporary basis merchandise listed in Annex II of the IMMEX Decree, are obliged to

secure an extension of its IMMEX Program in order carry out the temporary import of such goods.

On the other hand, companies with IMMEX Program that have secured Registration in the Companies Certification Integral Scheme, in the modality VAT (and with authorization to temporarily import merchandise classified in the tariff codes listed in Annex II of the IMMEX Decree and/or Annex 28 of the General Foreign Trade Rules ("GFTR") are exempted from the obligation to extend their IMMEX Program to carry out temporary importation of merchandise listed in Annex II of the IMMEX Decree.

Amendment Project to the IMMEX Decree and the Foreign Trade General Rules and Criteria issued by the Ministry of Economy ("FTGRC")

On October 25 and 26 of this year, the Ministry of Economy published in the web page of COFEMER the following documents:

- (i) [Project of Decree to modify the IMMEX Decree, through which, among other important topics, the authority adds a section V to article 5 and eliminates section II of article 6 from the current IMMEX Decree, in addition to the inclusion of tariff codes of cooper and lead to Annex II of the IMMEX Decree;](#) and
- (ii) [Amendment to rule 3.3.1. of the Official resolution by means of which the Ministry of Economy issues the Foreign Trade General Rules and Criteria through which the authority sets forth the exception criteria in order to waive the obligation of extending the IMMEX Program to carry out temporary importation of merchandise listed in Annex II of the IMMEX Decree.](#)

If these amendments are applied as above mentioned, the IMMEX companies with VAT Certification will no longer have the benefit of waiving the obligation of extending their IMMEX program to import on a temporary basis the merchandise listed in Annex II of the IMMEX Decree, therefore in order to keep importing such merchandise, they will have to extend their IMMEX Program.

It is important to mention that the requirement to secure the extension of the IMMEX Program in order to temporarily import merchandise listed in Annex II of the IMMEX Decree are complex and in some cases hard to meet. This could represent an obstacle for IMMEX companies to carry on business as usual.

Only companies which fit in any of the exceptions set forth in rule 3.3.1 of the FTGRC will be able to keep waiving the obligation of extending their IMMEX Program. Some exceptions are the following:

- I. IMMEX Companies that:
 - a) Have a Registry of Auto Motor Industry,
 - b) Have an approval from Ministry of Communications and Transportation as part of the aeronautic industry
 - c) Are considered as Maquiladoras for tax purposes
 - d) Have had at least 2,000 workers in the last 3 years.
- II. Are direct suppliers of the companies listed in point I above
- III. Are direct suppliers of companies listed in point II above.
- IV. Are direct suppliers of companies listed in point III above.
- V. Have had at least 700 workers in the last 6 months.
- VI. Have machinery and equipment or a real estate property with a value of at least 50 million pesos;

- VII. Have been affiliated during the last 3 years to any business chamber and have had at least 250 workers in the past 6 months;
- VIII. Have been affiliated during the last 3 years to any association of exporting companies that have authorization by the Tax Administration Services to render data pre-validation in terms of article 16-A of the Customs law, which have at least 350 maquiladora companies affiliates and have had at least 250 workers during the last 6 months.
- IX. Be listed on international stock exchanges and financial markets in terms of article 16-C of the Federal Tax Code.

Companies that are part of a corporate group in which one of the entities complies with the above mentioned requirements, will be able to apply the exception, given that they demonstrate that are indeed part of the same group in the terms and conditions set forth in rule 3.3.1 of the FTGRC.

It is very important to mention that the amendment project of rule 3.3.1 mentions that IMMEX companies will only be able to apply the exceptions by using the workers rule, if: (i) workers are registered before the Mexican Social Security Institute ("IMSS"), (ii) have a outsourcing structure in terms of articles 15-A to 15-D of the Federal Labor Law and the outsourcing company has all its workers registered in the IMSS.

In order for the Ministry of Economy to verify if indeed the IMMEX companies fit in the exceptions above mentioned and therefore are not obliged to extend its IMMEX Program to keep importing in a temporary basis merchandise listed in Annex II of the IMMEX Decree, it will be necessary to file before such Ministry, the information and documentation with which the company evidences that the exception is applicable. However the verification or authorization procedure is not yet structured.

Finally, Transitional Article 2 of the Amendment Project sets forth that the certified companies that file information in the terms explained in the above paragraphs may import merchandise listed in Annex II of the IMMEX Decree in a quantity equal to or less than the amount imported on the prior month, until the Ministry of Economy verifies the information.

How can we help?

Even when there is not an exact date when this new regulations will be published in the Federal Official Gazette, it is highly advisable that the IMMEX companies review in detail its operation and determine if such amendments will affect its operations, not only current operations but considering that in the future they might need to import merchandise listed in Annex II of the IMMEX Decree.

We are glad to help you with the analysis of your current situation, as well as help you determine the implications of these amendments in your temporary import operations.

Authors: [Daniel Sánchez Elizondo](#), [Veronica Rejón](#), [Ruth Rosales](#).

"Hecho en Mexico" rules established



On November 22, 2018 the Secretariat of Economy published in the *Diario Oficial* the [Acuerdo that establishes the conditions and requirements for granting the authorization and the use of the "Hecho en México" rules](#)

[en México" emblem](#) (the Acuerdo). The Secretariat holds the trademark registration for the "Hecho en México" and design (the Emblem), which covers the advertising of products produced and manufactured in the Mexican Republic. The use of the Emblem will be granted to interested parties by Certification Bodies, previously accredited by La Entidad Mexicana de Acreditación (EMA) and authorized by the General Directorate of Standards of the Secretariat, in terms of the Acuerdo.

Interested Parties wishing to be accredited to use the Emblem must show that the products are produced and manufactured in the Mexican Republic under any of the following:

- That the good is obtained in its entirety or produced entirely in Mexico;
- That the good is produced exclusively from materials that qualify as originating in accordance with the Treaties or Commercial Agreements of which Mexico is a party;
- That the good is made with non-originating goods, but that it results from a production process in Mexico, in such a way that the good is classified in a sub-item different from that of non-originating goods according to the Harmonized Commodity Description and Coding System, and
- That the transaction value of non-originating materials does not exceed the percentage established for each sector with respect to the value of the merchandise transaction.

Likewise, it must be proven that the products are produced and manufactured in the Mexican Republic in accordance with what is determined in the Criteria.

The use and applications of the Emblem must comply with the following:

- It may only be marked, printed or reproduced in the containers or packaging of those products that have been expressly recognized as being of national production or manufacture in terms of the Acuerdo and in accordance with the requirements established in the Criteria. It may also be marked, printed or reproduced on the product or its label when, according to its characteristics, it does not have a container or packaging;
- Must be marked in a clear, legible and indelible in the corresponding products;
- In no case shall the proportions or composition and distribution of the elements that make up the graphic identity of the Emblem "Hecho en México" be changed or modified in products made in Mexico or any of its elements, and
- It is forbidden to use any of the elements of the identity separately or in isolation, as well as the realization of any type of modification in the dimensions or in the arrangement of the graphic identity of the Emblem.

In any case, the Emblem must be integrated in such a way that it does not interfere with what is indicated in the Labeling Rules and commercial information that may be applicable to the products, but without altering in any way the graphic identity of the same.

Diario Oficial

The following documents of interest to international traders were published in the [Diario Oficial de la Federación](#): *Note: With regard to standards, only those which appear to apply to international trade are listed. (An unofficial English translation is shown.)*

Publication Date	Title
11-08-18	HACIENDA: Decree granting tax incentives to encourage the use of electronic means of payment.
11-12-18	ECONOMY: Notice by means of which the amount of the maximum quota for the month of September 2018 is announced, to export sugar to the United States of America during the period between October 1, 2018 and September 30, 2019.
11-20-18	HACIENDA: Convention Coordination for the establishment and development of the Special Economic Zone of Salina Cruz and its area of influence, endorsing the Ministry of Finance and the State of Oaxaca.
11-22-18	ECONOMY: Acuerdo that establishes the conditions and requirements for the granting of the authorization and the use of the "Hecho en Mexico" emblem
11-29-18	DECREE Promulgatory of the Comprehensive and Progressive Treaty of Trans-Pacific Association, made in Santiago, Chile, on March 8, 2018. (Continues in Section III , IV , V , VI , VII , VIII , IX , X , XI , XII , XIII , XIV , XV)
11-30-18	Decree approving the Agreement between the Government of the United Mexican States and the Government of the Republic of Cuba on Cooperation, Mutual Administrative Assistance and Exchange of Information on Customs Matters, signed in Los Cabos, Baja California Sur, Mexico, April 20, 2018
	ECONOMY: Acuerdo that discloses the import quotas for certain Textile and Garment Goods under the List of Limited Supply and Synthetic Garments for Babies, in accordance with the Trans-Pacific Integral and Progressive Association Treaty
	ECONOMY: Acuerdo laying disclosed import quotas described in Appendix A-1 "Contingent tariff of Mexico" in Annex 2-D "Commitments Tariff" Comprehensive Treaty and Progressive Transpacific Partnership.
	ECONOMY: Acuerdo By Which Decision No. 96 Of The Administrative Commission Of The Free Trade Agreement Between The United Mexican States And The Republic Of Colombia, Adopted On October 26, 2018, Is Made Public.

Antidumping and countervailing duty cases

[See separate **Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews** section below.](#)

UNITED STATES

[NOTE ON *FEDERAL REGISTER* TABLES IN THE **UNITED STATES** SECTION BELOW: N=NOTICE, FR=FINAL RULE, PR=NOTICE OF PROPOSED RULEMAKING, AN=ADVANCE NOTICE OF PR, IR=INTERIM RULE, TR=TEMPORARY RULE OR ORDER, RFI/FRC= REQUEST FOR INFORMATION/COMMENTS; H=HEARING OR MEETING; E=EXTENSION OF TIME; C=CORRECTION; RO=REOPENING OF COMMENT PERIOD; W=WITHDRAWAL. *PLEASE NOTE: MEETINGS WHICH HAVE ALREADY TAKEN PLACE ARE GENERALLY NOT LISTED.*]

Presidential documents

During the past month, President Trump signed the following documents that relate to international trade or travel, regulatory reform, national security, law enforcement or related activities:

Date	Subject
11-02-18	Notice of October 31, 2018 - Continuation of the National Emergency With Respect to Sudan
	Executive Order 13850 of November 1, 2018 Blocking Property of Additional Persons Contributing to the Situation in Venezuela
11-09-18	Notice of November 8, 2018 - Continuation of the National Emergency With Respect to Iran
	Notice of November 8, 2018 - Continuation of the National Emergency With Respect to the Proliferation of Weapons of Mass Destruction

Date	Subject
11-19-18	Notice of November 16, 2018 - Continuation of the National Emergency With Respect to Burundi
11-27-18	Executive Order 13851 of November 27, 2018 - Blocking Property of Certain Persons Contributing to the Situation in Nicaragua

US, Mexico and Canada sign new trade agreement

On November 30, 2018, the United States, Canada and Mexico signed a new trade agreement that, if ratified, will replace the *North American Free Trade Agreement* (NAFTA). The Presidents of the United States and Mexico and the Prime Minister of Canada signed an authorization for the agreement on the sidelines of the G-20 meeting in Buenos Aires. Their trade ministers actually signed the agreement, known as the *United States-Mexico-Canada Trade Agreement* (USMCA), which must now be ratified by the three countries.

US Government imposes economic sanctions on Nicaragua targeting certain individuals

On November 27, 2018, the President signed [Executive Order 13851](#) targeting Nicaragua entitled "[Blocking Property of Certain Persons Contributing to the Situation in Nicaragua](#)" ("Nicaragua EO"). The US Treasury Department's Office of Foreign Assets Control ("OFAC") also issued a press release related to the Nicaragua EO available [here](#), and added two close associates of Nicaraguan President Daniel Ortega to the Specially Designated Nationals and Blocked Persons List ("SDN List") pursuant to the new Nicaragua EO, the notice for which is available [here](#). The two new SDNs are the current Vice President of Nicaragua and President Ortega's wife, Rosario Maria Murillo de Ortega, and President Ortega's national security adviser, Nestor Moncada Lau.

The Nicaragua EO declares a national emergency with respect to the Government of Nicaragua and was issued in response to the Ortega regime's crack-down on a popular uprising in the country. OFAC's press release advises that the Ortega regime has engaged in rampant corruption, dismantling of democratic institutions, human rights abuses, and exploitation of the people and public resources of Nicaragua for private gain. The Nicaragua EO allows for the designation as SDNs of those parties that are responsible for, or complicit in, or to have directly or indirectly engaged or attempted to engage in:

- (A) serious human rights abuses in Nicaragua;
- (B) actions or policies that undermine democratic processes or institutions in Nicaragua;
- (C) actions or policies that threaten the peace, security, or stability of Nicaragua;
- (D) any transaction or series of transactions involving deceptive practices or corruption by, on behalf of, or otherwise related to the Government of Nicaragua or a current or former official of the Government of Nicaragua, such as the misappropriation of public assets or expropriation of private assets for personal gain or political purposes, corruption related to government contracts, or bribery.

The Nicaragua EO also authorizes designation of leaders of official Nicaraguan entities involved in the foregoing activities, officials of the Government of Nicaragua, and those that materially assist, sponsor, or provide support to SDNs designated pursuant to the Nicaragua EO. Individuals designated pursuant to the Nicaragua EO are restricted from entering the United States.

Any property or interests in property of SDNs designated pursuant to the Nicaragua EO that comes within US jurisdiction or possession of a US person must be blocked and reported to OFAC, and US persons are generally prohibited from transacting with any such SDNs or entities 50% or more owned or controlled by SDNs.

For additional information, please contact one of the authors, [Bart M. McMillan](#), [Inessa Owens](#), [Meghan Hamilton](#), or any member of the US Outbound Trade team with whom you normally work.

President continues national emergencies with respect to Sudan, Iran, WMD, Burundi

On the dates indicated below, the *Federal Register* published Presidential notices that continue national emergencies for an additional one year period:

- November 2, 2018: [Notice of October 31, 2018 - Continuation of the National Emergency With Respect to Sudan](#), continues the national emergency originally declared on November 3, 1997 by Executive Order (EO) 13067 to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the actions and policies of the Government of Sudan, and expanded by EO 13400, EO 13067 (partially revoked by EO 13761 as amended by EO 13804) and EO 13412 (revoked by EO 13761 as amended by EO 13804). The national emergency declared in EO 13067 as expanded by EO 13400 is being continued because despite recent positive developments, the crisis constituted by the actions and policies of the Government of Sudan that led to the declaration of a national emergency has not been resolved.
- November 9, 2018: [Notice of November 8, 2018 - Continuation of the National Emergency With Respect to Iran](#), continues the national emergency first declared on November 14, 1979, in Executive Order 12170 to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the situation in Iran. The emergency is being continued because US relations with Iran have not yet normalized, and the process of implementing the agreements with Iran, dated January 19, 1981, is ongoing. The emergency declared in Executive Order 12170 is distinct from the emergency declared in Executive Order 12957 on March 15, 1995. This renewal, therefore, is distinct from the emergency renewal of March 12, 2018.
- November 9, 2018: [Notice of November 8, 2018 - Continuation of the National Emergency With Respect to the Proliferation of Weapons of Mass Destruction](#), continues the national emergency first declared on November 14, 1994, by Executive Order 12938 with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons (weapons of mass destruction) and the means of delivering such weapons. On July 28, 1998, by Executive Order 13094, the President amended Executive Order 12938 to respond more effectively to the worldwide threat of proliferation activities related to weapons of mass destruction. On June 28, 2005, by Executive Order 13382, the President, among other things, further amended Executive Order 12938 to improve our ability to combat proliferation activities related to weapons of mass destruction. The national emergency is being continued because

the proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

- November 19, 2018: [Notice of November 16, 2018 - Continuation of the National Emergency With Respect to Burundi](#), continues the national emergency first declared on November 22, 2015, by Executive Order 13712 with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States by the situation in Burundi, which has been marked by the killing of and violence against civilians, unrest, the incitement of imminent violence, and significant political repression, and which threatens the peace, security, and stability of Burundi and the region. The national emergency is being continued because the situation in Burundi continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

USTR determines trade surplus in certain sugar products from certain FTA parties

On November 26, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [notice of its determination](#) of the trade surplus in certain sugar and syrup goods and sugar-containing products of Chile, Morocco, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, Peru, Colombia and Panama. The level of a country's trade surplus in these goods relates to the quantity of sugar and syrup goods and sugar-containing products for which the United States grants preferential tariff treatment under the FTAs with Chile and Morocco, the CAFTA–DR and the Trade Promotion Agreements with Peru, Colombia and Panama. The notice is applicable on January 1, 2019.

The determinations are shown below:

COUNTRY / AGREEMENT	TRADE SURPLUS (MT)	HTSUS SUBHEAD.	QUANTITY APPROVED
Chile FTA	Negative [407,137]	9911.17.05	0
Morocco FTA	Negative [743,760]	9912.17.05 9912.17.10 – 9912.17.85	0
CAFTA-DR			
Costa Rica	127,312	9822.05.20	13,860
Dom. Rep.	Negative [6,254]	9822.05.20	0
El Salvador	427,977	9822.05.20	35,360
Guatemala	1,431,282	9822.05.20	48,880
Honduras	122,527	9822.05.20	10,080
Nicaragua	304,145	9822.05.20	27,720
Peru TPA	Negative [485,884]	9822.06.10	0
Colombia TPA	436,478	9822.08.01	55,250
Panama TPA	12,853	9822.09.17	540

USTR seeks applicants for NAFTA binational panels

On November 5, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [document](#) [Docket Number USTR–2018–0033] inviting applications for individuals to serve on NAFTA binational panels. The *North American Free Trade Agreement* (NAFTA) provides for the establishment of a roster of individuals to serve on binational panels convened to review final

determinations in antidumping or countervailing duty (AD/CVD) proceedings and amendments to AD/ CVD statutes of a NAFTA Party. The United States annually renews its selections for the roster. USTR invites applications from eligible individuals wishing to be included on the roster for the period April 1, 2019, through March 31, 2020. USTR must receive your application by November 26, 2018. See the *Federal Register* document for details and requirements

ITC begins investigation of effects of proposed US-Japan Trade Agreement

On November 9, 2018, the US International Trade Commission (ITC) published in the *Federal Register* a [notice announcing an investigation and scheduling of a public hearing](#) [Investigation Nos. TA-131-043 and TPA- 105-004] on the probable economic effect of providing duty-free treatment for currently dutiable imports of a proposed U.S.-Japan Trade Agreement.

USTR requested that the ITC provide a report containing its advice as to the probable economic effect of providing duty-free treatment for imports of currently dutiable products from Japan on (i) industries in the United States producing like or directly competitive products, and (ii) consumers. The USTR asked that the ITC's analysis consider each article in chapters 1 through 97 of the Harmonized Tariff Schedule of the United States (HTS) for which U.S. tariffs will remain, taking into account implementation of U.S. commitments in the WTO. The USTR asked that the advice be based on the HTS in effect during 2018 and trade data for 2017. In addition, the USTR requested that the Commission prepare an assessment of the probable economic effects of eliminating tariffs on imports from Japan of those agricultural products described in the list attached to the USTR's request letter on (i) industries in the United States producing the products concerned, and (ii) the U.S. economy as a whole. The USTR's request letter and list of agricultural products are posted on the [ITC's website](#).

The scheduling is:

November 26, 2018: Deadline for filing requests to appear at the public hearing.
November 30, 2018: Deadline for filing prehearing briefs and statements.
December 6, 2018: Public hearing.
December 13, 2018: Deadline for filing post-hearing briefs and submissions.
December 13, 2018: Deadline for filing all other written statements.
January 24, 2019: Transmittal of Commission report to the USTR.

ITC investigations

The ITC initiated (I), terminated (T), requested information or comments (RFC), issued a report (R), or scheduled a hearing (H) regarding the following investigations (other than 337 and antidumping, countervailing duty or safeguards) this month: (*Click on the investigation title to obtain details from the Federal Register notice or ITC Press Release*)

Investigation. No. and title	Requested by:
Inv. Nos. TA-131-043 and TPA- 105-004 U.S.-Japan Trade Agreement: Advice on the Probable Economic Effect of Providing Duty-Free Treatment for Currently Dutiable Imports; Institution of Investigation and Scheduling of Hearing (I/H)	USTR

Investigation. No. and title	Requested by:
Inv. Nos. TA-131-044 and TPA- 105-005 U.S.-EU Trade Agreement: Advice on the Probable Economic Effect of Providing Duty-Free Treatment for Currently Dutiable Imports; Institution of Investigation and Scheduling of Hearing (I/H)	USTR

Other ITC documents

F.R. Date	Subject
11-27-18	American Manufacturing Competitiveness Act: Effects of Duty Suspensions and Reductions on the U.S. Economy; Submission of Questionnaire for OMB Review [Investigation No. 332-565] (N)

BIS requests participation in user testing of the new Commerce 232 Exclusion Process Portal

On November 26, 2018, Bureau of Industry and Security (BIS), Office of Technology Evaluation, Department of Commerce, published in the *Federal Register* a [notice on procedures for requesting participation](#) in the user testing phase of the online portal that will replace the use of the [Federal rulemaking portal](#) for persons submitting exclusion requests, objections to exclusion requests, rebuttals, and surrebuttals in connection with duties or quotas imposed pursuant to Section 232 of the *Trade Expansion Act of 1962*, as amended ("232"). In order to improve the 232 exclusion process, Commerce plans to transition to the new Commerce 232 portal sometime in late 2018 to early 2019. The notice describes the process for the public to submit requests to participate in the public testing phase of the new Commerce 232 portal, and the procedures for attending the public testing.

The new Commerce 232 portal was developed by two components of the Department of Commerce, the Bureau of Industry and Security (BIS) and the International Trade Administration (ITA), to facilitate parties' ability to make 232 exclusion-related submissions, and Commerce's management of the 232 exclusion process. Commerce says the new portal will streamline the exclusion process for external parties, including importers and domestic manufacturers, by replacing the data collection point with web-based forms, which will enhance data integrity and quality controls. In addition, this new system will allow parties to more easily view all exclusion request, objection, rebuttal, and surrebuttal documents in one, web-based system. Finally, parties will be able to track submission deadlines in this same system. The new portal will also allow for better collaboration between government agencies

Foreign persons are not eligible to participate in the testing. People selected to participate in the testing of the Commerce 232 portal will be limited to citizens of the United States, lawful permanent residents of the United States, or any other protected individuals as defined by 8 U.S.C. 1324b(a)(3). The public testing, which is limited to thirty-six individuals, will be held on December 6 and 7, 2018 at the US Department of Commerce, Room 6872A, 1401 Constitution Avenue NW, Washington, DC 20230. Each public testing day will be broken into a morning session from 9 a.m. to 12 p.m. and an afternoon session from 1 p.m. to 4 p.m. Once the Commerce 232 portal is ready to be implemented, Commerce will publish rule making changes to the 232 exclusion process in Supplements No. 1 (for steel exclusion requests) and 2 (for aluminum exclusion requests) to Part 705.

COAC meeting announced for December 5, 2018 - Cancelled

On November 16, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* a [notice](#) [Docket No. USCBP–2018–0041] announcing the Commercial Customs Operations Advisory Committee (COAC) would hold its quarterly meeting on Wednesday, December 5, 2018, at the Hilton Dulles Washington Airport, 13869 Park Center Road, Herndon, Virginia 20171. However, due to the George H.W. Bush memorial events, the COAC meeting was cancelled. Materials and presentations are available at the [COAC webpage here](#).

CBP revises vessel repair regulations

On November 29, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* a [final rule \(technical amendment\)](#) [CBP Dec. 18–12] that amends the CBP regulations to update provisions relating to the declaration, entry and dutiable status of repair expenditures made abroad for certain vessels to reflect the port of New Orleans, Louisiana as the only Vessel Repair Unit (VRU) location. The amendment will improve the efficiency of vessel repair entry processing, ensure the proper assessment and collection of duties, and make the regulations more transparent.

CBP to test facial recognition from moving vehicles in Anzalduas

On November 14, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* a [general notice](#) that announces that CBP is conducting a voluntary test to collect biometrics, namely facial images, from travelers who choose to participate and who are entering or departing the United States via moving motor vehicles at the Anzalduas, Texas, land border port of entry (Anzalduas Biometric Test). CBP is conducting this test to determine the effectiveness of certain technology. Specifically, the test will: evaluate the technology's effectiveness to capture a quality facial image for occupants within a vehicle while that vehicle is moving; evaluate biometric matching accuracy of images captured; and, evaluate transaction time for matching images captured. CBP will not use facial images collected during this test to identify threats or determine admissibility. All analysis of the facial images collected during this test will be conducted off-line at a later time, and no information collected during this test will be retained in association with an individual's official border-crossing records. The notice describes the purpose of the test as well as how the facial images collected will be used. It also describes the test procedures, the persons covered, the duration of the test, how CBP will analyze the results, and privacy considerations. This voluntary test began August 30, 2018, and will run for approximately one year.

CBP reminds brokers that user fee is due by January 25, 2019

On November 7, 2018, US Customs and Border Protection published in the *Federal Register* a [general notice](#) to customs brokers that the annual user fee that is assessed for each permit held by a broker, whether it may be an individual, partnership, association, or corporation, is due by January 25, 2019. Pursuant to fee adjustments required by the *Fixing America's Surface Transportation Act* (FAST Act) and CBP regulations (19 C.F.R. 111.96(c) and 19 C.F.R. 24.22(h) and (i)(9)), the annual user fee payable in calendar year 2019 will be \$144.74. Payment of the 2019 Customs Broker User Fee is due by January 25, 2019.

CBP section 301 enforcement push

As companies consider mitigation strategies to offset the impact of the Section 301 duties, we wanted to share an important update regarding enforcement priorities at the border. Further to recent reports, CBP's Office of Regulatory Audit has confirmed that it will be ramping up enforcement of "various types" of imported electronics (i.e., products classified in chapters 84 and 85 of the Harmonized Tariff Schedule of the United States). In connection with these efforts, Regulatory Audit is adding staff, including managers and auditors. For instance, CBP is adding 60 new auditors across Regulatory Audit's 10 field offices. Our contacts in Regulatory Audit have informed us that, as part of this effort, a first "wave" of CF-28s (Requests for Information) since the imposition of the Section 301 duties will be issued in 2-4 weeks.

There are several reasons for CBP to focus its enforcement on imported electronics. Most importantly, billions of dollars in revenue are at stake for the U.S. government, and CBP is intent on collecting that revenue (the Trump administration expects CBP to collect "record-setting revenues"). Also, given that electronics have generally been entitled to be entered duty free (or subject to very low duty rates), CBP recognizes that importers are under pressure to reduce the Section 301 impact and, therefore, may (intentionally or unintentionally) act in a manner contrary to U.S. customs laws and regulations. Last, targeting electronics is justifiable given the conclusions of the Section 301 investigation, namely that the Government of China engages in intellectual property theft and forced technology transfers to support its industrial advancement goals. Stated differently, targeting electronics aligns with the legal basis for the Section 301 duties and the administration's messaging around China's unfair policies.

While CBP has confirmed that an enforcement push will be made with respect to electronics, we understand that CBP is increasing enforcement activities on all fronts. As such, companies pursuing Section 301 mitigation strategies should tread cautiously. Re-classifying products, changing the country of origin, and/or decreasing the customs valuation (for example, by declaring the "first sale" price in a multi-tiered transaction, rather than the price the U.S. importer pays), is likely to draw scrutiny from CBP. As such, it is important that companies be able to demonstrate that they exercised reasonable care in carrying out these activities (not exercising reasonable care can lead to steep penalties, in addition to owing unpaid duties). To demonstrate that a company is exercising reasonable care, we recommend having on file contemporaneously drafted documentation that substantiates the legal basis for any changes (e.g., documentation explaining that, based on changes to the supply chain, the product is no longer Chinese origin, since it is now last substantially transformed origin somewhere else). Further, any company that receives a CF-28 or CF-29 (Notice of Action) should escalate the matter to the company's legal department before responding and/or engage outside trade counsel, if appropriate.

We hope this is helpful. If you have any questions regarding the above, please let us know.

Author: [Ted Murphy](#).

CBP to require advance manifests for section 321 truck shipments

In [CSMS 18-000656](#) (Nov. 5, 2018), CBP announced that beginning January 1, 2019 all commercial truck shipments containing Section 321 merchandise will be

required to file an advance electronic manifest in accordance to the guidelines specified in the *Trade Act of 2002*.

Shipments qualifying for Section 321 release were exempt from the electronic manifest filing requirement due to a policy decision made by CBP during the implementation of the Trade Act of 2002.

The rise in eCommerce combined with the increase in the De Minimis value, has resulted in a significant growth in shipments being manifested and released under Section 321.

The lack of an electronic manifest eliminates CBP's ability to conduct a risk assessment or perform advance targeting within the Automated Targeting System (ATS), results in slower processing times and longer wait times.

There are multiple ways to submit a 321 manifest. For online information, please visit; <https://www.cbp.gov/trade/ace/training-and-reference-guides>. Reference guides are available in both Spanish and English. For information specific to truck manifest visit; <https://www.cbp.gov/document/guidance/review-e-manifest-trucks>.

Companies not utilizing the provided portal will need to hire a service provider or have an EDI system in place to submit the information. For technical guidance regarding the EDI systems visit; <https://www.cbp.gov/trade/automated/technical/ace-import-manifest-documentation>.

Beginning November 26, 2018, CBP will begin a phased approach for non-compliance with conveyances being referred to secondary for processing. Then starting January 1, 2019, carriers which make no attempt to comply with the electronic manifest requirement will be issued a monetary penalty (\$5000 for the first offence and \$10,000 for subsequent offences).

Additional Points of Contact are shown in [CSMS# 18-000659](#) (Nov. 6, 2018).

Miscellaneous CBP Federal Register documents

The following documents not discussed above were published by CBP in the *Federal Register*. [Note that multiple listings of approved gaugers and laboratories reflects different locations and/or products.]

F.R. Date	Subject
11-09-18	Agency Information Collection Activities: Transfer of Cargo to a Container Station [OMB Control No. 1651-0096] (N)
11-14-18	Agency Information Collection Activities: Passenger List/Crew List [OMB Control № 1651-0103] (N) [<i>Form I-418</i>] (N)
	Agency Information Collection Activities: Visa Waiver Program Carrier Agreement [OMB Control № 1651-0110] [<i>CBP Form I-775</i>] (N)
11-19-18	Agency Information Collection Activities: Screening Requirements for Carriers [OMB Control № 1651-0122] (N)
11-20-18	Agency Information Collection Activities: Vessel Entrance or Clearance Statement [OMB Control № 1651-0019] (N) [<i>CBP Form 1300</i>]
11-26-18	Approval of Marine Technical Surveyors, Inc. (Donaldsonville, LA) as a Commercial Gauger (N)
	Approval of Laboratory Service Inc. (Savannah, GA) as a Commercial Gauger (N)
	Approval of WFR Metering, Inc. (Houston, TX), as a Commercial Gauger (N)
	Accreditation and Approval of Atlantic Product Services, Inc. (Carteret, NJ), as a Commercial Gauger and Laboratory (N)
	Accreditation of Coastal Gulf and International (Luling, LA), as a Commercial Laboratory (N)
	Accreditation and Approval of SGS North America, Inc., as a Commercial Gauger and Laboratory (N) [Bridgeport, NJ]
	Approval of Coastal Gulf and International (Baton Rouge, LA), as a Commercial Gauger (N)

F.R. Date	Subject
	Approval of Coastal Gulf and International (Corpus Christi, TX), as a Commercial Gauger (N)

Significant CBP ruling involving section 301 tariffs

On November 2, 2018, the National Commodity Specialist Division of CBP issued [NY Ruling N301371](#), which involved the country of origin for marking and duty purposes of "bulk lipstick mass, of US origin" that is sent to China for processing into retail packages. The lipstick mass will be heated and poured into individual lipstick tubes. The tubes and caps are manufactured in China. The ruling determination is based on the above processing being the only manufacturing processes performed in China to the bulk lipstick mass. CBP determined that

... the U.S. origin bulk cosmetic mass and powder are sent to China, where they are measured, melted or poured, and compressed into individual tubes. The processing described (melting and pouring into tubes) does not affect any significant change in the character or use of the lipstick mass for purposes of establishing country of origin. Therefore, it is our determination that the foreign processes do not constitute a substantial transformation and the lipstick remains a product of the country of manufacture of the lipstick mass (USA). Accordingly, the imported cosmetics are not subject to the country of origin marking requirements of 19 U.S.C. 1304.

Section 134.24(d) provides that usual disposable containers imported full, and used as such, at the time of importation shall not be required to be marked to show the country of their origin, but shall be marked to indicate the origin of their contents, regardless of the fact that the contents are excepted from marking requirements. The lipstick in tubes, based on the processing described, is packaged in China, for export to the U.S., and is a non-reusable disposable container. Therefore, as a non-reusable disposable container, the lipstick in tubes is exempt from marking under 19 CFR 134.24(d).

CBP also determined that as Section 301 duties only apply to products of China, and are based on the country of origin, not country of export, the subject merchandise will not be subject to those additional duties upon importation into the United States.

EAPA Notices of Action and Final Determinations

The following Notices of Action and Final Determinations under the *Enforce and Protect Act* (Section 421 of the *Trade Facilitation and Trade Enforcement Act of 2015*) relating to alleged evasion of antidumping or countervailing duties were posted by CBP:

Date	Subject
11-16-18	EAPA Investigation 7251: Worldwide Door Components (Notice of Initiation of Investigation and Interim Measures)
11-20-18	EAPA Cons. Investigation Number 7252: Certain Hardwood Plywood from the People's Republic of China (Notice of Initiation of Investigation and Interim Measures)

Revocations or modifications of CBP rulings

[See separate section below.](#)

CSMS messages

The following CBP Cargo Systems Messaging Service (CSMS) notices were issued during the period covered by this Update. ACE outages or delays which

have already occurred and problems which have been resolved are not included below.

Date	CSMS#	Title
11-01-18	18-000648	Harmonized System Update (HSU) 1819 created on October 31, 2018
11-02-18	18-000649	Updated Cargo Release CATAIR
	18-000650	ACE Entry Summary Business Process Document Version 9.5 (External) Released
	18-000651	Further Guidance on ACE In-bond Reports Functionality
	18-000652	Reminder FDA New and End-dated CDRH Product Codes Effective November 5, 2018
	18-000653	ACE PRODUCTION Scheduled Maintenance, Sat. Nov 3, 2018 @ 2200 to 0400 ET Sun. Nov 4
	18-000654	FDA Status & Prior Notice Contingency Plan in Response to CBP MQ Gateway Migration Nov 3
11-03-18	18-000655	**Cancelled** MQ Trade Gateway Migration this evening in ACE PROD
11-05-18	18-000656	Truck Section 321 Requirements
	18-000657	Update: Entry Summary Order of Reporting For Multiple HTS in ACE
11-06-18	18-000658	Updated Drawback Error Dictionary
	18-000659	Truck Section 321 Additional Points of Contacts
	18-000660	Rejects on PSCs with Canadian provinces
11-07-18	18-000661	REMINDER - Attention All Industry ACE Users
11-08-18	18-000663	Update: Submitting Imports of Products Excluded from Duties on Imports of Steel or Aluminum
	18-000664	Continuous Bond Sufficiency Review and Bond Stacking Liability
	18-000665	Cargo Release SO Status Notification Guide Posted
11-09-18	18-000667	Item added to the ACE Production Deployment this weekend
	18-000668	FDA Scheduled Maintenance Saturday, November 10, 2018 from 3 AM ET to 6 AM ET
	18-000669	Initiation of AD/CVD Investigations on Yarn from China and India
11-13-18	18-000670	ACE DIS XML Schema Update
	18-000671	Announcement: Absolute Quota Steel and Aluminum Product Relief
	18-000672	Updated Notional ACE Development and Deployment Schedule posted to CBP.gov/ACE
11-14-18	18-000673	Truck manifest EDI issue
	18-000674	Resolved: Truck manifest EDI issue
	18-000676	Updated DIS IG Posted to CBP.gov/ACE
	18-000677	Run Has Been Terminated errors on Manifest and QP transactions
11-15-18	18-000678	Resolved: Run Has Been Terminated errors on Manifest & QP transactions
	18-000679	Updated ABI Software Vendors List
	18-000680	Initiation of AD/CVD Investigations: Magnesium from Israel
	18-000681	New FDA Programming: VQIP and Rule Maintenance
	18-000682	Updated ACE Reports Information Notice
11-16-18	18-000683	Trade/PGA Action Required: MQ Trade Gateway Migration -ACE PRODUCTION-Dec. 1 @2200-0200ET
	18-000684	Additional Note on MQ Trade Gateway Migration -ACE PRODUCTION-Dec. 1 @2200-0200ET
	18-000686	Draft Importer/Bond Query CATAIR
11-19-18	18-000687	Updated ACE ABI Batch & Block CATAIR
	18-000688	ACE PRODUCTION Entry Summary Deployment, Tuesday 11/20/2018 @0500ET
11-20-18	18-000689	Reconciliation Filing-Free Trade Agreements (FTA)
11-21-18	18-000691	FDA End-Dated CDRH Product Code
11-27-18	18-000693	Updated Cargo Release Condition/Error Codes
	18-000694	Reminder - Resources for TFTEA Drawback

Date	CSMS#	Title
	18-000695	Drawback Reports for Claimants, Drawback Filers, and Non-Claimant Importers
	18-000696	Upcoming Retirement of Certain AM and ESM Reports on December 13, 2018
	18-000697	Reminder: Trade/PGA Action Req'd: MQ Trade Gateway Migration -ACE PROD-Dec. 1 @2200-0200ET
	18-000698	CBP Not Receiving Some External Emails
11-28-18	18-000699	Updated Drawback Trade Issue Tracker Document
	18-000700	Reminder: Trade/PGA Action Req'd: MQ Trade Gateway Migration -ACE PROD-Dec. 1 @2200-0200ET
	18-000701	Resolved: CBP is Now Receiving External Emails
	18-000702	SU- Statement Update ASF - Rejections - 11/28/2018
	18-000703	ACH Payment Authorizations-Rejections on 11-28-18
	18-000704	FDA Status & Prior Notice Contingency Plan in Response to CBP MQ Gateway Migration Dec. 1
11-29-18	18-000705	Update: Trade/PGA Action Req'd: MQ Trade Gateway Migration - ACE PROD-Jan. 2019
11-30-18	18-000706	Cancelled: Trade/PGA ACTION REQ'D: MQ Trade Gateway Migration -ACE PROD-Dec. 1 @2200-0200E
	18-000707	Updated CATAIR Appendix PGA

Foreign Trade Zones

The following documents were published in the *Federal Register* by the Foreign-Trade Zones Board:

F.R. Date	Document
11-02-18	Foreign-Trade Zone 158 – Jackson, Mississippi; Notification of Proposed Production Activity; Calsonic Kansei North America (Automotive Parts), Canton, Mississippi [B-67-2018]
	Foreign-Trade Zone 23 – Buffalo, New York; Notification of Proposed Production Activity; Panasonic Eco Solutions Solar New York America, Subzone 23E, (Crystalline Silicon Photovoltaic Cells), Buffalo, New York [B-68-2018]
11-07-18	Foreign-Trade Zone 287 – Tunica County, Mississippi; Application for Subzone; Future Electronics Distribution Center, L.P. Southaven, Mississippi [S-185-2018]
	Foreign-Trade Zone 259 – International Falls, Minnesota; Notification of Proposed Production Activity; Digi-Key Corporation (Consumer Electronics) Thief River Falls, Minnesota [B-66-2018]
	Foreign-Trade Zone 203 – Moses Lake, Washington; Notification of Proposed Production Activity; Joyson Safety Systems Acquisition, LLC (Automotive Airbag Inflators and Propellants) Moses Lake, Washington [B-69-2018]
11-09-18	Foreign-Trade Zone 70-Detroit, Michigan, Authorization of Production Activity, Brose New Boston, Inc. (Passenger Vehicle and SUV Subassemblies), New Boston, Michigan [B-45-2018]
11-14-18	Foreign-Trade Zone 52 – Suffolk County, New York; Notification of Proposed Production Activity; LNK International, Inc. (Pharmaceutical Products), Hauppauge, New York [B-70-2018]
11-15-18	Foreign-Trade Zone 230-Greensboro, North Carolina; Notification of Proposed Production Activity; Patheon Softgels; (Pharmaceutical Products); High Point, North Carolina [B-71-2018]
	Foreign-Trade Zone 41-Milwaukee, Wisconsin; Authorization of Production Activity; CNH Industrial America LLC; (Tractors, Component Parts, and Axle Subassemblies); Sturtevant, Wisconsin [B-46-2018]
	Production Authority Not Approved; Gildan Yarns, LLC; Foreign-Trade Zone 57; (Cotton and Cotton/Polyester Yarns); Salisbury, North Carolina [Order No. 2074]
	Reorganization of Foreign-Trade Zone 283; (Expansion of Service Area) Under Alternative Site Framework; West Tennessee Area [Order No. 2075]

F.R. Date	Document
	Reorganization of Foreign-Trade Zone 81 Under Alternative Site Framework: Portsmouth, New Hampshire [Order No. 2073]
	Reorganization of Foreign-Trade Zone 9 Under Alternative Site Framework: Honolulu, Hawaii [Order No. 2072]
11-19-18	Foreign-Trade Zone 176—Rockford, Illinois; Authorization of Production Activity Leading Americas Inc. (Wire Harnesses), Hampshire, Illinois [B-48-2018]
	Foreign-Trade Zone 64—Jacksonville, Florida, Authorization of Production Activity, Bacardi USA, Inc. (Kitting of Alcoholic Beverages), Jacksonville, Florida [B-47-2018]
	Approval of Subzone Status: Digi-Key Corporation; Fargo, North Dakota [S-149-2018]
11-23-18	Foreign-Trade Zone 18—San Jose, California; Notification of Proposed Production Activity: Bloom Energy Corporation (Commercial Fuel Cells and Related Subassemblies), Sunnyvale and Mountain View, California [B-74-2018]
	Foreign-Trade Zone 87—Lake Charles, Louisiana, Notification of Proposed Production Activity, Driftwood LNG, LLC (Liquified Natural Gas Processing), Sulphur, Louisiana [B-75-2018]

State issues list of restricted entities and subsidiaries associated with Cuba

On November 15, 2018, the State Department's Bureau of Economic and Business Affairs [released](#) a list of entities and subsidiaries under the control of, or acting for or on behalf of, the Cuban military, intelligence, or security services or personnel with which direct financial transactions would disproportionately benefit such services or personnel at the expense of the Cuban people or private enterprise in Cuba. For information regarding the prohibition on direct financial transactions with these entities, please see the Department of the Treasury's Office of Foreign Assets Control [website](#) and the Department of Commerce's Bureau of Industry and Security [website](#). All entities and subsidiaries were listed effective November 9, 2017, unless otherwise indicated.

A number of hotels have been added, effective as of November 15, 2018

State updates Conventional Arms Transfer (CAT) Policy Implementation Plan

On November 8, 2018, the Department of State posted a [Fact Sheet](#) on the Conventional Arms Transfer (CAT) Policy Implementation Plan Update. The following are excerpts from the Fact Sheet:

In July the Secretary of State submitted to the President the Implementation Plan requested as part of the [Conventional Arms Transfer \(CAT\) Policy \(NSPM-10\)](#). This plan supports the U.S. National Security Strategy through a whole-of-government approach to better align our conventional arms transfers with our national security and economic interests.

In developing the [CAT Policy Implementation Plan](#), and in order to ensure that it is fully integrated the real-world challenges we face, the Administration collected inputs from Congress, American industry and the non-governmental community. We are grateful for their cooperation in this process.

The Plan accounts for the increasingly competitive environment described in the National Security Strategy, and seeks to modernize the U.S. Government's policies and processes regarding arms transfers. It establishes three Lines of Effort (LOE) to implement our CAT Policy goals. Each LOE is supported by a number of tasks that will be undertaken by the relevant U.S. Government agencies.

Line of Effort 1 – Prioritize Strategic and Economic Competition

Tasks within this line of effort include:

- Effectively compete with strategic competitors;
- Identify critical partner capability requirements;
- Prioritize and expedite critical transfers;
- Identify and revise outdated arms transfer policies; and
- Develop holistic policies in support of arms transfers.

Line of Effort 2 – Organize for Success

Tasks under this LOE include:

- Streamline the International Traffic in Arms Regulations (ITAR);
- Revise the United States Munitions List (USML);
- Update the Commerce Control List (CCL);
- Facilitate exports for certain U.S. and cooperative programs;
- Establish objective milestones and standard timelines for Foreign Military Sales (FMS);
- Increase the competitiveness of high-demand American weapons systems;
- Build exportability;
- Improve contracting for FMS;
- Enhance U.S. Government advocacy;
- Expand support for Non-Programs of Record;
- Improve FMS Letter of Offer and Acceptance (LOA) processes and policies;
- Examine the U.S. Government policy on offsets; and
- Develop financing options.

Line of Effort 3 – Create Conducive Environments

Tasks in this line of effort include:

- Improve the FMS requirements development approach;
- Reduce costs associated with FMS;
- Improve the funding flexibility associated with FMS;
- Request from Congress, where needed, legislative changes regarding contracting requirements for FMS;
- Establish an Offset Task Force;
- Modernize the Missile Technology Control Regime;
- Improve trade promotion; and
- Work with U.S. industry to incentivize increased production capacity and timely delivery.

Progress and the Way Ahead

The Administration is assessing progress on a quarterly basis, and revising the plan where needed. We continue to solicit input from industry, non-governmental organizations, and Congress to improve the arms transfer process, as well as feedback on the results of our efforts. To date, the Administration has made great progress in develop-

ing strategies to compete against strategic and economic rivals, has revised numerous policies to increase U.S. competitiveness, has reduced costs, is on track to streamline regulations and improve processes, among other accomplishments.

For details, see the [Fact Sheet](#).

US Government sanctions 17 individuals in connection with the killing of Jamal Khashoggi

On November 15, 2018, the US Department of the Treasury's Office of Foreign Assets Control ("OFAC") [designated](#) seventeen individuals as Specially Designated Nationals ("SDNs") under [Executive Order 13818](#), which implements the [Global Magnitsky Human Rights Accountability Act](#) ("Global Magnitsky Act"), in connection with the killing of journalist Jamal Khashoggi. These individuals include Saud al-Qahtani, a former top aide to the crown prince, and Mohammed al-Otaibi, the consul general of the Saudi consulate in Istanbul where Mr. Khashoggi was killed on October 2, 2018. The full list of the designated individuals can be found [here](#).

The Global Magnitsky Act authorizes the President, among other things, to impose sanctions on any individual or entity who is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in any non-US country seeking to expose illegal activity carried out by government officials, or to obtain, exercise, or promote human rights and freedoms. Our prior blog post on the Global Magnitsky Act can be found [here](#).

Treasury Secretary Mnuchin announced in a statement that "[t]he United States continues to diligently work to ascertain all of the facts and will hold accountable each of those we find responsible in order to achieve justice for Khashoggi's fiancée, children, and the family he leaves behind."

As a result of the OFAC designations, all of the property and interests in property subject to US jurisdiction of the designated individuals are blocked, and "US Persons" are generally prohibited from engaging in transactions with these individuals and any entities 50% or more owned by these individuals. "US Persons" include (i) entities organized under US laws and their non-US branches, (ii) individuals or entities in the United States, or (iii) US citizens or permanent resident aliens ("Green Card" holders) wherever located or employed. Non-US persons may be liable if they cause any US Persons to engage in any prohibited SDN-related transactions.

For additional information, please contact one of the authors, [Nicholas F. Coward](#), [Eunkyung Kim Shin](#), [Callie Lefevre](#), or any member of the US Outbound Trade group with whom you normally work.

Second Iran sanctions wind-down period ends and United States completes full re-imposition of sanctions on Iran

On November 5, 2018, the US Treasury Department's Office of Foreign Assets Control ("OFAC") took several actions to finalize the re-imposition of sanctions against Iran in response to President Trump's May 8, 2018 decision to cease the United States' participation in the *Joint Comprehensive Plan of Action* ("JCPOA"). See our previous blog posts [here](#) regarding the President's May 8, 2018 decision to cease the United States' participation in the JCPOA and [here](#) regarding [Exec-](#)

[utive Order \("EO"\) 13846](#), issued on August 6, 2018, which consolidated and re-issued several sanctions provisions that had been suspended or revoked while the JCPOA was in effect.

OFAC's November 5th, 2018 actions included:

- Re-imposing sanctions on activities that were subject to the 180-day wind-down period that ended on November 4, 2018;
- Designating [more than 700 individuals, entities, aircraft, and vessels](#) as Specially Designated Nationals ("SDNs") and adding them to OFAC's List of Specially Designated Nationals and Blocked Persons List ("SDN List"), including moving parties that were previously identified on the List of Persons Blocked Solely Pursuant to EO 13599 ("EO 13599 List") back to the SDN List;
- [Amending](#) the *Iranian Transactions Sanctions Regulations* ("[ITSR](#)") to reflect the re-imposition of sanctions pursuant to certain sections of EO 13846 and technical changes that remove references to the EO 13599 List, as well as amending an existing general license in the ITSR to authorize US persons to sell certain personal property in Iran and transfer the proceeds to the United States;
- [Announcing](#) significant reduction exceptions ("SREs") to eight countries (China, India, Italy, Greece, Japan, South Korea, Taiwan, and Turkey) to allow those countries to temporarily continue to purchase Iranian oil; and
- Issuing new and revised [Frequently Asked Questions \("FAQs"\)](#) relating to the re-imposition of US sanctions suspended or revoked in connection with the JCPOA.

With these steps, all US sanctions suspended or revoked in connection with the JCPOA are re-imposed and in full effect.

Re-imposition of Pre-JCPOA Sanctions

As provided for in EO 13846, sanctions were re-imposed on activities that were subject to the 180-day wind-down period announced on May 8, 2018 that ended on November 4, 2018. These include:

- Sanctions on Iran's port operators, and shipping and shipbuilding sectors, including on the Islamic Republic of Iran Shipping Lines ("IRISL"), South Shipping Line Iran, or their affiliates;
- Sanctions on petroleum-related transactions with, among others, National Iranian Oil Company ("NIOC"), Naftiran Intertrade Company ("NICO"), and the National Iranian Tanker Company ("NITC"), including the purchase of petroleum, petroleum products, or petrochemical products from Iran;
- Sanctions on transactions by foreign financial institutions ("FFIs") with the Central Bank of Iran ("CBI") and designated Iranian financial institutions under section 1245 of the *National Defense Authorization Act* ("NDAA") for Fiscal Year 2012;
- Sanctions on the provision of specialized financial messaging services to the CBI and Iranian financial institutions described in subsection 104(c)(2)(E)(ii) of the *Comprehensive Iran Sanctions and Divestment Act of 2010* (i.e., sanctions relating to the provision of SWIFT messaging services);
- Sanctions on the provision of underwriting services, insurance, or reinsurance; and
- Sanctions on Iran's energy sector.

Designation of SDNs and Elimination of EO 13599 List

OFAC has [added](#) more than 700 individuals, entities, aircraft, and vessels to the SDN List, including individuals and entities that had been removed from the SDN List in connection with the JCPOA as well as over 300 new targets. In addition, the new designations include, but are not limited to:

When the JCPOA came into effect, persons designated under EO 13599 (i.e., persons meeting the definition of "Government of Iran" or "Iranian financial institution") were removed from the SDN List and identified on the then-newly created EO 13599 List. On November 5, 2018, OFAC moved all of these persons back to the SDN List, with the identifying "[IRAN]" tag, and eliminated the EO 13599 List. Notably, some of these persons have been designated under additional sanctions authorities and may be subject to secondary sanctions, as reflected in their entries on the SDN List (including but not limited to Bank Sepah, Bank Mellat, Bank Melli, Bank Kargoshaee, Future Bank, Export Development Bank of Iran, Post Bank of Iran, Europaisch-Iranische Handelsbank, Bank of Industry and Mine of Iran and Bank Tejarat).

In addition, the new designations include, but are not limited to:

- Over 200 persons and vessels in Iran's shipping and energy sectors (including but not limited to Islamic Republic of Iran Shipping Lines and NITC);
- The Atomic Energy Organization of Iran as well as its subsidiaries and associated individuals; and
- Iran Air, the national airline of Iran, and 67 of its aircraft.

US Persons (i.e., entities organized under US law and their non-US branches; parties physically located in the United States; US citizens and permanent resident aliens wherever located or employed) are generally prohibited from engaging in transactions involving any person designated as an SDN. Non-US Persons may risk US secondary sanctions for engaging in significant transactions involving an Iranian person on the SDN List (other than a non-designated Iranian financial institution) or a person designated in connection with Iran's support for international terrorism or proliferation of weapons of mass destruction. Persons subject to secondary sanctions will have a notation of "Additional Sanctions Information – Subject to Secondary Sanctions" in their SDN List entry in addition to any tags they may have for any other sanctions program(s) they have been designated under (e.g., the "[SDGT]" tag, the "[IRAN-HR]" tag, or the "[NPWMD]" tag).

Amendment of the ITSR

In addition to the above actions, OFAC amended the ITSR, effective November 5, 2018 to, among other things, (i) reflect the re-imposition of sanctions pursuant to certain sections of EO 13846 and (ii) make technical changes to remove references to the EO 13599 List.

In particular, OFAC reinstated the regulatory provisions of the authorities that were previously in sections 5 and 6 of EO 13622 (EO 13622 was revoked when the JCPOA went into effect) and now are in sections 1 and 10 of EO 13846 by revising paragraph (c) of section 560.211 of the ITSR. Sections 1(a)(i) and 1(a)(ii) of EO 13846 authorize OFAC to designate as an SDN any person determined by OFAC to have:

- On or after August 7, 2018, materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the purchase or acquisition of US bank notes or precious metals by the Government of Iran; or
- On or after November 5, 2018, materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, NIOC, NICO, any entity owned or controlled by, or operating for or on behalf of, respectively, NIOC or NICO, or the CBI.

Section 10 of EO 13846 provides that section 1(a) of the EO 13846 does not apply to gas and pipeline projects meeting certain criteria, namely, the Shah Deniz project and pipeline projects for transport of gas from Azerbaijan to Turkey and Eastern Europe.

Also, to accommodate the elimination of the EO 13599 List, OFAC removed references throughout the ITSR to the EO 13599 List.

Finally, OFAC revised the general license at ITSR section 560.543 to permit certain transactions related to the sale of certain personal property in Iran without prior authorization. Previously, ITSR section 560.543 was limited to the sale of real property. Now, US persons will be permitted to participate in transactions necessary and ordinarily incident to the sale of real property as well as personal property in Iran and transfer of proceeds to the United States, provided that the property was either (1) acquired before the individual became a US person or (2) inherited from persons in Iran. This change complements ITSR section 560.518, which authorizes certain transactions in Iranian-origin household and personal effects.

Issuance of SREs to China, India, Italy, Greece, Japan, South Korea, Taiwan, and Turkey

Several US sanctions authorities related to Iran include an exception for countries that have received a SRE under section 1245(d)(4)(D) of the NDAA. On November 5, 2018, the Secretary of State [announced](#) that China, India, Italy, Greece, Japan, South Korea, Taiwan, and Turkey received SREs, which must be renewed every six months, with the primary effect that these countries may continue to temporarily import Iranian-origin oil so long as certain conditions regarding the purchases are met.

In particular, under the NDAA and section 561.203 of the *Iranian Financial Sanctions Regulations* ("IFSR"), a FFI may be subject to secondary sanctions if it knowingly engages in a significant financial transaction with the CBI, designated financial institutions, NIOC, NICO, or otherwise for the purchase of petroleum or petroleum products from Iran unless the FFI is hosted in a country that has received an SRE. With SREs in place, FFIs in the listed eight countries may continue to facilitate petroleum purchases for them, although strict specific conditions regarding the transaction must be met.

Also, as noted in new [FAQ 642](#), service providers in countries with SREs that might otherwise face secondary sanctions under the *Iran Freedom and Counter-Proliferation Act of 2012* for dealing with Iranian port operators and shipping sector may facilitate the importation of petroleum into those countries, provided that Iranian entities that are involved in such transactions are not designated in connection with Iran's support for international terrorism, or its proliferation of weapons of mass destruction or their means of delivery.

New and Revised FAQs

OFAC has issued [new FAQs](#) (FAQs 630 through FAQ 645) related to the end of the 180-day wind-down period and the re-imposition of US sanctions suspended or revoked while the JCPOA was in effect. In addition, OFAC has amended [FAQ 256](#) and [FAQ 417](#), and archived outdated FAQs. The new FAQs address questions regarding the various actions taken on November 5, 2018, including the re-imposition of secondary sanctions, the elimination of the EO 13599 List, the use of humanitarian exemptions, and the use of SREs, among others.

For additional information, please contact one of the authors, [Lise S. Test](#), [Eunkyung Kim Shin](#) or [Lloyd Grove](#), or any member of the US Outbound Trade group with whom you normally work.

BIS announces review of emerging technology controls and seeks public comment

On November 19, 2018, the Department of Commerce's Bureau of Industry and Security ("BIS") published a long-awaited [advance notice of proposed rulemaking](#) ("ANPRM") [Docket No. 180712626–8840–01] seeking public comment on criteria for identifying "emerging technologies" that are essential to US national security with a view to imposing export controls on such largely uncontrolled technologies. This process is being undertaken pursuant to Section 1758 of the *Export Control Reform Act of 2018* ("ECRA"), which mandates the establishment of a regular multi-agency process for identifying appropriate controls on emerging and foundational technologies that are "essential to the national security of the United States" and that are currently subject to no or very limited controls under other existing US export control regimes. (BIS also announced that it will issue a separate ANPRM in the future regarding the identification of foundational technologies that may be important to US national security.)

BIS is accepting comments to the ANPRM by mail and via the [Federal eRule-making Portal](#) until December 19, 2018. Companies whose business involves the technology described below are strongly encouraged to submit detailed comments to BIS to help shape how such largely uncontrolled technologies may be controlled going forward.

The ANPRM describes the following extremely broad representative categories of technology from which BIS seeks to determine whether there are specific emerging technologies that are important to US national security for which effective export controls should be implemented:

1. Biotechnology
2. Artificial intelligence ("AI") and machine learning
3. Position, Navigation, and Timing technology
4. Microprocessor technology
5. Advanced computing technology
6. Data analytics technology
7. Quantum information and sensing technology
8. Logistics technology
9. Additive manufacturing (e.g., 3D printing)
10. Robotics

11. Brain-computer interfaces
12. Hypersonics
13. Advanced materials
14. Advanced surveillance technologies

The ANPRM also includes a list of representative examples of such technologies for each of the above categories (e.g., computer vision and national language processing within the AI and machine learning category).

The ANPRM provides that technologies may be considered "essential to the national security of the United States" if they either have potential conventional weapons, intelligence collection, weapons of mass destruction, or terrorist applications, or could provide the United States with a qualitative military or intelligence advantage. The ECRA-mandated process requires BIS to adopt a more systematic approach to controlling emerging technology. This process builds upon the existing, ad-hoc process for BIS to impose such controls under "0Y521" Export Control Classification Numbers pursuant to [Section 742.6 of the Export Administration Regulations](#).

Once BIS identifies the emerging technologies to be controlled through this process, it will have discretion to set the precise level of export controls. At a minimum, licenses will be required for the export such technologies to countries subject to a US embargo, including countries such as China and Venezuela that are subject to a US arms embargo. This could have significant implications for deemed export and technology transfer licensing burdens going forward. As with the 0Y521 process, BIS will be required to propose that controls imposed on emerging technologies be adopted by the relevant multilateral export-control regime (e.g., [Wassenaar Arrangement](#)).

In order to assist BIS in this process, the ANPRM seeks public comment on:

1. How to define emerging technology to assist identification of such technology in the future;
2. Criteria to apply to determine whether there are specific technologies within these general categories that are essential to US national security (e.g., Whether certain subsets of identified technology (particularly if already ubiquitous) are not worth controlling?);
3. Sources to identify such technologies;
4. Other general technology categories that warrant review to identify emerging technologies that are important to US national security;
5. The status of development of these technologies in the United States and other countries (e.g., Is a company in another country already a leader in developing a specific technology? If not, by when could another company in another country become a leader?);
6. The impact specific emerging technology controls would have on US technological leadership (e.g., In particular, would new technology controls on these as-yet uncontrolled technologies impose burdensome deemed export requirements?);
7. Any other approaches to the issue of identifying emerging technologies important to US national security, including the stage of development or maturity level of an emerging technology that would warrant consideration for export control.

Given the significant breadth of the identified categories of technologies under review, the fact that many of these technologies are already somewhat ubiquitous, and the significant ramifications should the US Government impose controls on

such technologies, this may be a company's best opportunity to affect how such technology controls are imposed first unilaterally in the United States and, subsequently, more globally through multilateral controls.

Companies should be cognizant that any confidential technical data they provide in their comments may not be kept confidential and could be published by BIS on the Federal eRulemaking Portal. Baker McKenzie would be happy to assist interested companies in preparing and submitting public comments in response to this ANPRM.

For additional information, please contact the authors, [Alison J. Stafford Powell](#), [Alexandre \(Alex\) Lamy](#), [Daniel Andreeff](#), or any member of the US Outbound Trade practice with whom you normally work.

BIS corrects Wassenaar Arrangement 2017 Plenary Agreements Implementation

On November 2, 2018, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [correction](#) [Docket No. 170831854-7854-01] to the *Wassenaar Arrangement 2017 Plenary Agreements Implementation* published on October 24, 2018 to read as follows:

Supplement No. 1 to Part 774, Category 3 [Corrected] On page 53761, in the second column, the "CIV" paragraph for entity 3A001 was inadvertently omitted. Under line twenty-six, it should read, "CIV: Yes for 3A001.a.3, a.7, and a.11."

Restrictive measures and additions to OFAC, State BIS blocking orders, designations, sanctions and entity lists

During the past month, the following notices adding, removing or continuing persons (including entities) to/from restrictive measures lists were published in the *Federal Register* by the Office of Foreign Assets Control (OFAC) or by the State Department (STATE) or the Bureau of Industry and Security (BIS):

F.R. Date	Applicable orders
11-05-18	OFAC: Notice of OFAC Sanctions Action (N) [1 entity]
11-08-18	OFAC: Notice of OFAC Sanctions Actions (N) [2 individuals]
11-14-18	STATE: Review of the Designation as a Foreign Terrorist Organization of Hizbullah (and Other Aliases) [Public Notice: 10605] (N)
	STATE: E.O. 13224 Designation of Al-Mujahidin Brigades, aka Khatib Al-Mujahidin, aka Holy Warriors Battalion, aka Al Mujahideen Brigades, aka Ansar al-Mujahidin Movement as a Specially Designated Global Terrorist [Public Notice: 10608] (N)
	STATE: E.O. 13224 Designation of Jawad Nasrallah, aka, Mohammad Jawad Nasrallah, aka Juad Nasrallah, as a Specially Designated Global Terrorist [Public Notice: 10607] (N)
11-21-18	OFAC: Notice of OFAC Sanctions Actions (N) [17 individuals]
11-23-18	OFAC: Notice of OFAC Sanctions Action (N) [1 individual]
11-26-18	OFAC: Notice of OFAC Sanctions Actions (N) [1 individual]
11-27-18	STATE: Designation of Hajji 'Abd al-Nasir, aka Hajji Abdelnasser, aka Hajji Abd al-Nasr, aka Taha al-Khuwayt as a Specially Designated Global Terrorist [Public Notice: 10621] (N)
	STATE: Determination on Imposition and Waiver of Sanctions under Sections 603 and 604 of the Foreign Relations Authorization Act, Fiscal Year 2003 [Public Notice: 10620] (N)
11-30-18	OFAC: Notice of OFAC Sanctions Actions (N) [5 individuals, 4 entities]

Orders denying export privileges

During the past month, the following orders were published:

F.R. Date	Subject
11-26-18	BIS: In the Matter of: Gregory Allen Justice

Treasury, Commerce, Homeland Security and State meetings and notices related to trade

AGENCIES: BIS = BUREAU OF INDUSTRY AND SECURITY; FINCEN = FINANCIAL CRIMES ENFORCEMENT NETWORK; ITA: INTERNATIONAL TRADE ADMINISTRATION; NIST- NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY; OFAC= OFFICE OF FOREIGN ASSETS CONTROL; DHS= HOMELAND SECURITY; STATE=DEPARTMENT OF STATE.

[Note: Only meetings which occur after scheduled distribution of this Update are listed.]

F.R. Date	Subject
11-20-18	STATE: U.S. Department of State Cuba Internet Task Force; Notice of Open Meeting [Public Notice: 10612] (N/H) [Dec. 6, 2018]
	STATE: Call for Expert Reviewers to contribute to the U.S. Government Review of the second and third Special Reports to be undertaken by the Intergovernmental Panel on Climate Change (IPCC) during the Sixth Assessment Report (AR6) cycle [Public Notice 10613] (N)
11-21-18	ITA: Request for Comments and Notice of Roundtable on energy, information and communication technology, and infrastructure in the Indo-Pacific region (N/RFC)

TTB announcements and Federal Register documents

The Alcohol and Tobacco Tax and Trade Bureau (TTB) has posted the following information or regulatory actions of interest to international traders :

Date	Subject
11-26-18	TTB: Modernization of the Labeling and Advertising Regulations for Wine, Distilled Spirits, and Malt Beverages [Docket No. TTB-2018-0007; Notice No. 176] (PR)

FDA Federal Register documents

The FDA has posted the following *Federal Register* guides, notices or documents which may be of interest to international traders:

F.R. Date	Subject
11-01-18	Listing of Color Additives Exempt from Certification; Synthetic Iron Oxide [Docket No. FDA-2017-C-6238] (FR)
	Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption; Draft Guidance for Industry; Public Meetings; Request for Comments [Docket No. FDA-2018-D-3631] (N/H/RFC)
	Withdrawal of the Laser Products; Proposed Amendment to Performance Standard and the Electronic Submission of Labeling for Certain Home-Use Medical Devices [Docket Nos. FDA-2011-N-0070 and FDA-2016-N-2491] (PR/W)
11-05-18	Food Labeling: Serving Sizes of Foods That Can Reasonably Be Consumed at One Eating Occasion, Reference Amounts Customarily Consumed, Serving Size-Related Issues, Dual-Column Labeling, and Miscellaneous Topics; Draft Guidance for Industry; Availability [Docket No. FDA-2018-D-1459] (N)
	Nutrition and Supplement Facts Labels: Questions and Answers Related to the Compliance Date, Added Sugars, and Declaration of Quantitative Amounts of

F.R. Date	Subject
	Vitamins and Minerals: Guidance for Industry: Availability [Docket No. FDA-2016-D-4414] (N)
11-06-18	Questions and Answers Regarding Mandatory Food Recalls: Guidance for Industry and Food and Drug Administration Staff; Availability [Docket No. FDA-2015-D-0138] (N)
11-14-18	Flexible Vinyl Alliance: Filing of Food Additive Petition [Docket No. FDA-2018-F-3757] (N)
	International Cooperation on Harmonisation of Technical Requirements for Registration of Veterinary Medicinal Products: Study Design Recommendations for Residue Studies in Honey for Establishing Maximum Residue Levels and Withdrawal Periods: Guidance for Industry: Availability [Docket No. FDA-2016-D-4461] (N)
11-21-18	Use of the Names of Dairy Foods in the Labeling of Plant-Based Products: Extension of Comment Period [Docket No. FDA-2018-N-3522] (N/E)

Rural Utilities Services issues "Buy American" regulations

On November 27, 2018, the Rural Utilities Service (RUS), USDA, published in the *Federal Register* a [final rule](#) to amend its regulations to address its "Buy American" requirement. This will codify long-standing RUS requirements which Agency borrowers have been required to follow pursuant to statute, bulletin, and contract as early as the 1950s. RUS will rescind Bulletin 43-9:344-3, "'Buy American' Requirement," when this regulation becomes effective.

The *Rural Electrification Act* requires that in making loans pursuant to the *Rural Electrification Act of 1936*, the Secretary of Agriculture shall require that, to the extent practicable and the cost of which is not unreasonable, the borrower agrees to use in connection with the expenditure of such funds only such unmanufactured articles, materials, and supplies, as have been mined or produced in the United States or in any eligible country, and only such manufactured articles, materials, and supplies as have been manufactured in the United States or in any eligible country, substantially all from articles, materials, or supplies mined, produced or manufactured, as the case may be, in the United States or any eligible country. This regulation will codify long-standing RUS requirements which Agency borrowers have been required to follow pursuant to statute, bulletin, and contract as early as the 1950s, but which were inadvertently never codified when all existing RUS bulletins were incorporated into regulation. Nothing in the regulation will change or modify those procedures with respect to borrowers' responsibilities in complying with the Buy American requirement, such as the waiver process, but will simplify compliance by compiling all such existing requirements into a single document.

The rule was effective November 27, 2018.

FAS GAIN reports

Below is a partial list of Global Agriculture Information Network (GAIN) reports that were recently issued by the US Foreign Agriculture Service (FAS) in the *Food and Agricultural Import Regulations and Standards* (FAIRS) series as well as other reports related to import or export requirements. These provide valuable information on regulatory standards, export guides, and MRL (maximum residue limits). Information about, and access to, other GAIN reports may be found at the FAS [GAIN reports website](#).

- Australia - [Exporter Guide](#)

- Australia - [Food and Agricultural Import Regulations and Standards Report](#)
- Austria - [Exporter Guide](#)
- Austria - [FAIRS Report](#)
- Canada - [75 Days to Comprehensive Regulatory Overhaul](#)
- China - [China Notifies Measure on Young Children Formula](#)
- China - [China Notifies Measures for Infant Formula for Older Infants](#)
- China - [General Administration of Customs Reorganization](#)
- China - [Hygienic Standard for Feeds](#)
- China - [China Notifies Measures for Infant Formula for Young Infants](#)
- Czech Rep. - [FAIRS Report](#)
- Czech Rep. - [Exporter Guide](#)
- EU - [Update of the Article 12 EU MRL Review Process](#)
- Germany - [FAIRS Report](#)
- Germany - [FAIRS Report](#)
- Germany - [Plastic Packaging a Concern for Fruit Buyers](#)
- Hungary - [Exporter Guide](#)
- Hungary - [FAIRS Report](#)
- Hungary - [FAIRS Report](#)
- India - [PQ Requirements and Clearance Waived for Some Processed Food Items](#)
- Japan - [Japan Introduces a New JAS Logo for Differentiated Products](#)
- Japan - [New Wine Labeling Standards Become Effective](#)
- Malaysia [Registration of Dairy Product Facilities Exporting to Malaysia](#)
- Mexico - [New Mexican Regulation for GE Risk Assessments](#)
- Morocco - [Import Requirements for Certain Species of the Rosaceae family](#)
- Morocco - [Pesticide MRLs](#)
- Morocco [Prohibiting Imports of Certain Citrus Plants and Plant Parts](#)
- Poland - [Poland Poised to Postpone GE Feed Ban for More Two Years](#)
- Russia - [Draft Amendments to Veterinary Requirements](#)
- S. Korea - [Food Processing Ingredients](#)
- Ukraine - [New Controls Applied to Imported Food Products](#)

Additional Federal Register documents

The following [Federal Register](#) documents which may be of interest to international traders were published during the past month by various Federal agencies:

F.R. Date	Subject
11-01-18	ENERGY: Energy Conservation Program: Energy Conservation Standards for Residential Furnaces and Commercial Water Heaters, Notice of Petition for Rulemaking (N)
	ENVIRONMENTAL PROTECTION AGENCY (EPA): Technical Issues – Formaldehyde Emission Standards for Composite Wood Products [EPA-HQ-OPPT-2018-0174; FRL-9984-14] (PR)
11-06-18	EPA: Fludioxonil; Pesticide Tolerances [EPA-HQ-OPP-2017-0538; FRL-9982-75] (FR)

F.R. Date	Subject
11-08-18	EPA: Light-Duty Vehicle GHG Program Technical Amendments; Reopening of Comment Period [EPA-HQ-OAR-2017-0755; FRL-9986-20-OAR] (PR/RO)
11-09-18	EPA: Tin Oxide: Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2017-0614; FRL-9982-73] (FR)
11-13-18	EPA: Cyantraniliprole; Pesticide Tolerances [EPA-HQ-OPP-2017-0694; FRL-9985-32] (FR)
11-14-18	ENERGY: Energy Conservation Program: Test Procedures for Consumer Warm Air Furnaces, Notice of Petition for Rulemaking (N/RFC)
11-15-18	EPA: Pesticide Product Registration; Receipt of Applications for New Uses [EPA-HQ-OPP-2018-0576; FRL-9985-70] (N)
	EPA: Product Cancellation Order for Certain Pesticide Registrations and Amendments To Terminate Uses [EPA-HQ-OPP-2018-0014; FRL-9984-05] (N)
	EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2018-0650; FRL-9985-22] (PR)
	EPA: Azoxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2017-0744; FRL-9985-45]
11-20-18	EPA: Bacillus amyloliquefaciens strain ENV503; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0460; FRL-9985-98] (FR)
11-23-18	NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA): Pilot Program for Collaborative Research on Motor Vehicles with High or Full Driving Automation; Extension of Comment Period [Docket No. NHTSA-2018-0092] (AN/E)
11-26-18	EPA: Notification of Submission to the Secretaries of Agriculture and Health and Human Services; Pesticides; Technical Amendment to Data Requirements for Antimicrobial Pesticides [EPA-HQ-OPP-2018-0668; FRL-9984-47] (N)
11-27-18	TRANSPORTATION (OFFICE OF THE SECRETARY, FAA, ST. LAWRENCE SEAWAY DEV. CORP., MARITIME ADM., PHMSA, FRA, FMCSA, NHTSA): Revisions to Civil Penalty Amounts (FR)
	PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION (PHMSA): Hazardous Materials: Harmonization with International Standards [Docket No. PHMSA-2017-0108 (HM-215O)] (PR)
11-28-18	EPA: Air Quality: Revision to the Regulatory Definition of Volatile Organic Compounds – Exclusion of cis-1,1,1,4,4,4-hexafluorobut-2-ene (HFO-1336mzz-Z) [EPA-HQ-OAR-2017-0175; FRL-9987-02-OAR] (FR)
11-29-18	DRUG ENFORCEMENT ADMINISTRATION (DEA): Schedules of Controlled Substances: Placement of Fentanyl, 4-Fluorobutyl Fentanyl, Acetyl Fentanyl, Tetrahydrofurfuryl Fentanyl, and Oxycodone in Schedule I [Docket No. DEA-490] (F)
11-30-18	NHTSA: Notice of Receipt of Petition for Decision that Nonconforming Model Year 2015 Bentley Continental Passenger Cars Are Eligible for Importation [Docket No. NHTSA-2018-0013; Notice 1] (N)
	NHTSA: Notice of Receipt of Petition for Decision That Nonconforming Model Year 2015 Chevrolet Silverado Trucks Are Eligible for Importation [Docket No. NHTSA-2018-0029; Notice 1] (N)
	NHTSA: Notice of Receipt of Petition for Decision That Nonconforming Model Year 2016 Mercedes-Benz GL500 Multipurpose Passenger Vehicles Are Eligible for Importation [Docket No. NHTSA-2018-0007; Notice 1] (N)
	NHTSA: Notice of Receipt of Petition for Decision That Nonconforming Model Year 2005 Chevrolet Corvette Passenger Cars Are Eligible for Importation [Docket No. NHTSA-2018-0014; Notice 1] (N)
	NHTSA: Notice of Receipt of Petition for Decision That Nonconforming Model Year 2016 Chevrolet Equinox Multipurpose Passenger Vehicles Are Eligible for Importation [Docket No. NHTSA-2018-0008; Notice 1] (N)
	NHTSA: Notice of Receipt of Petition for Decision That Nonconforming Model Year 2008 Jeep Grand Cherokee Multipurpose Passenger Vehicles Are Eligible for Importation [Docket No. NHTSA-2018-0069; Notice 1] (N)
	NHTSA: Notice of Receipt of Petition for Decision That Nonconforming Model Year 2015 Ferrari 458 Speciale Aperta Passenger Cars Are Eligible for Importation [Docket No. NHTSA-2018-0088; Notice 1] (N)

F.R. Date	Subject
	NHTSA: Notice of Receipt of Petition for Decision That Certain Nonconforming Model Year 2011 Mercedes-Benz GL550 Multipurpose Passenger Vehicles Originally Certified to the Canadian Motor Vehicle Safety Standards Are Eligible for Importation [Docket No. NHTSA-2018-0070; Notice 1] (N)

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

The Americas - South America

ARGENTINA

Boletín Oficial publications

The following Decrees, Administrative Decisions and Resolutions (Res.) which may be of interest to international traders were published in the [Boletín Oficial de la República Argentina](#) (Official Gazette) or the *Customs Bulletin* during the period covered by this Update [Unofficial translation].

BO Date	Subject
05-11-18	FEDERAL ADMINISTRATION OF PUBLIC REVENUES (AFIP) - GENERAL DIRECTORATE OF CUSTOMS (DGA): General Resolution 4329 /2018 (02-11-18) Common Mercosur Nomenclature. Tariff classification of merchandise - General Res. No. 1618 AFIP
06-11-18	Decree 997/2018 Single Window System DECTO-2018-997-APN-PTE - Implementation. AFIP DGA: Resolution 20/2018 (11-01-18) [regarding Provisional Operational Zone "PRESIDENTE ROQUE SAENZ PEÑA"] AFIP DGA: General Resolution 4330 /2018 (02-11-18) criterion values of preventive character. Res. General No. 2730 and amendments.
08-11-18	AFIP: Gen. Res. No 4331 (07-11-18) Customs Luggage Regime in MERCOSUR. Decision No. 03/18 of the Common Market Council. Its incorporation.
09-11-18	AFIP DGA: Gen. Res. 4330 Correction
12-11-18	AFIP: Gen. Res. 4333 (09-11-18) Import Manifests (MANI SIM) and SIM Deconsolidation Manifests for the waterway. General Resolution No. 4.278. Your modification
13-11-18	Decree 1045/2018 (12-11-18) DECTO-2018-1045-APN-PTE - "XXXIII Expo Union of Nations" Exemption from import duties and taxes Decree 1046/2018 (12-11-18) DECTO-2018-1046-APN-PTE - "International Fair of Villa Gesell" Exemption from import duties and taxes AFIP: Prov. 302/2018 (09-11-18) [Confidentiality under the Customs Code]
23-11-18	AFIP: Gen. Res. 4339/2018 (21-11-18) Import. Taxes on Value Added and Earnings. Sub-invoicing RG No. 1908 and its amendments. Its repeal. AFIP: Gen. Res. 4340/2018 (22-11-18) Enabling and delimiting the Free Zone and the Primary Customs Area of Río Gallegos.

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

BRAZIL

Diário Oficial da União publications

The following notices, Ordinances (Portarias), Circulars and Resolutions of interest to international traders were published in the *Diário Oficial da União* (Official Gazette) during the period covered by this Update.

DOU Date	Subject
05-11-18	SECEX Portaria No. 59 (01-11-18) closes the special non-preferential origin verification procedure, with the disqualification of India origin for the product pens (NCM 9608.10.00), declared as produced by Accuwrite Stationery Products.
12-11-18	CAMEX Res. No. 84 (09-11-18) Changes the constant auto parts list in Annexes I and II of CAMEX Resolution No 116, of December 18, 2014
	CAMEX Res. No. 85 (09-11-18) Changes to zero percent the Import Tax rates on the Capital Goods it mentions, in the condition of Ex-Tariffs
	CAMEX Res. No. 86 (09-11-18) Changes to zero percent the Import Tax rates on the IT and Telecommunication Goods it mentions, as Ex-Tariffs.
	Correction of CAMEX Resolution No. 82 (25-10-18)
14-11-18	SECEX Portaria No. 60 (14-11-18) Closes the special non-preferential origin verification procedure, qualifying the India origin for the product pens (NCM 9608.10.00), declared as produced by the company Ostern Private Limited.
20-11-18	CAMEX Res. No. 87 (19-11-18) Amends the Annex to Resolution No. 64 of September 10, 2018 .[2921.11.21, 3002.20.27 and 3002.20.29 of the Mercosur Common Nomenclature.]
	SECEX Portaria No. 61 (19-11-18) Authorizes the application of the Exception Mechanism to the Rule of Origin in case of shortages of inputs in Argentina, Brazil and Colombia
21-11-18	SECEX Portaria No. 62 (20-11-18) Establishes criteria for the allocation of import quotas, determined by CAMEX Resolution No. 87, dated November 19, 2018.
	SECEX Portaria No. 63 (20-11-18) Establishes criteria for the allocation of import quotas, determined by CAMEX Resolution No. 87, dated November 19, 2018.
30-11-18	CAMEX Res. No. 89 (29-11-18) Revokes resolutions on inactive workgroups.
	Correction of CAMEX Resolution No. 82 (25-10-18) Original DOU: 26-10-18
	Correction of CAMEX Resolution No. 84 (09-11-18) Original DOU: 12-11-18

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

CHILE

National Customs postings and Diario Oficial

The following documents, which may be of interest to international traders were posted to the National Customs Service (NCS) [website](#) or published in the [Diario Oficial de la República de Chile](#) (Official Gazette) or [Partial list; Unofficial translation].

Date	Subject
06-11-18	Draft Law 12195-10 Approves the Comprehensive and Progressive Treaty of Trans-Pacific Partnership between Australia, Brunei Darussalam, Canada, the United Mexican States, Japan, Malaysia, New Zealand, the Republic of Chile, the Republic of Peru, the Republic of Singapore and the Socialist Republic of

Date	Subject
	Vietnam, and the letters exchanged in the context thereof, all signed in Santiago, Chile, on March 8, 2018. Initiative: Message. Current Urgency: Without urgency. Date of entry: 2018-10-29
22-11-18	HACIENDA: Exempt Decree No 351, of 2018. - Applies rebates of customs duties for the importation of raw sugar, refined sugar grades 1 and 2, and refined sugar grades 3 and 4, and sub-standards
30-11-18	HACIENDA: Extract of Exempt Resolution No. 4.920, of 2018.- Modifies Compendium of Customs Rules making the presentation of the list of passengers and crew to the airlines mandatory

Classification opinions, advance rulings and classification valuation and origin decisions

The National Customs Service has recently redesigned its website. [Advance Classification Rulings](#) (Resoluciones Anticipadas Clasificación) from 2010 to the present are available.

COLOMBIA

TPTA information

Information, on the *Colombia-United States Trade Promotion Agreement* including presentations, rules of origin and TRQ information (all in Spanish) may be [found here](#). Sample (non-mandatory) Certificates of Origin are [available here](#).

Tariff Classification Resolutions

Tariff Classification Resolutions may be found [here](#).

MinCIT, MinHacienda and DIAN Documents

The following documents of interest to international traders were posted by the [Ministry of Commerce, Industry and Tourism](#) (MinCIT), [Ministry of Finance](#) (Hacienda) or the [National Directorate of Taxes and Customs](#) (DIAN):

Date	Subject
09-11-18	MINCIT: Decree 1413 "By which a chapter is added to Book 2, Part 2, Title 2 of the Single Decree of the Trade, Industry and Tourism Sector. Decree 1074 of 2015 and the paragraph of Article 18 of Law 1480 of 2011 is regulated"
16-11-18	MINCIT: Decree 090 "Whereby articles 2.2.2.26.1.2 and 2.2.2.26.3.1 of Decree 1074 of 2015 are amended - Sole Regulatory Decree of the Trade, Industry and Tourism Sector"
	MINCIT: Decree 272 "By which Decree 1343 of 2017 is modified"
	MINCIT: Decree 519 "By which the Customs Tariff is partially modified"
	MINCIT: Decree 411 "By which Decree 2147 of 2016 is modified"
	MINCIT: Decree 667 "By which a section is added to chapter 41 of title 2 of part 2 of book 2 of the Sole Regulatory Decree of the Trade, Industry and Tourism Sector, number 1074 of 2015"
	MINCIT: Decree 659 "By which Decrees 2685 of 1999 and 2147 of 2016 are amended"
	MINCIT: Decree 636 "By which article 2.2.4.4.10.13 of the Single Regulatory Decree of the Trade, Industry and Tourism Sector is modified, Decree 1074 of 2015."
	MINCIT: Decree 590 "By which Chapter 12 is added to Title 1 of Part 2 of Book 2 of the Single Regulatory Decree of the Trade, Industry and Tourism Sector, Decree 1074 of 2015, establishing a Program for the Promotion of the Shipyard Industry"

Venezuela

New exemption from VAT, customs duties and customs service fees for imports of foodstuffs, school supplies, goods/provisions of services regarding electoral processes

Presidential Decree No. 3,4581 introduces an exemption from the payment of VAT, customs duties and custom services fees for final imports of foodstuffs made by the National Administration entities and destined for the Venezuelan population. The foodstuffs exempted include goods such as powdered milk, wheat flour and refined sugar. The exemption entered into force on 12 June 2018 and will be valid until 12 June 2019.

The beneficiary of the exemption, must present the following at the time of registering their customs declaration:

- The descriptive list of the imported goods.
- The commercial invoice issued to the beneficiary.
- The exemption letter issued by the National Integrated Service of Customs and Tax Administration.

Presidential Decree No. 3.5533 (*Official Gazette* № 41,447, 26 July 2018) introduced an exemption from the payment of VAT, customs duties and customs services fee for final imports of movable property made by the entities of the National Public Administration, destined to cover the demand of school supplies for 2018-2019. The Decree came into force on 25 July 2018 and the exemption will be valid until 25 July 2019.

The beneficiary of the exemption, must present the following at the time of registering their customs declaration:

- The descriptive list of imported goods.
- The commercial invoice issued to the beneficiary.
- The exemption letter issued by the National Integrated Service of Customs and Tax Administration.

The final import of the exempted goods must be made through a customs office chosen by the beneficiary. The office must register the exempted operation, date of the import, CIF value, the number of imported goods, customs duties, exempted VAT, as well as compensatory and anti-dumping duties and late payment interest.

Presidential Decree No. 3.551 (*Official Gazette* No. 41,447, 26 July 2018) exempts from VAT, customs duties and customs service fees imports and domestic sales of movable property made by the National Electoral Council. The goods imported include but are not limited to: computers, printers, hard drives, motherboards and other electoral articles. The Decree entered into force on 26 July 2018 and the exemption will last for a term no longer than two (2) years.

The National Electoral Council, at the moment of registering the import declaration, must present:

- The descriptive list of the imported goods.
- The commercial invoice issued to the it.

- The exemption letter issued by the National Integrated Service of Customs and Tax Administration.

The Decree also exempts from VAT liability the provision of independent services executed or benefited from in Venezuela, hired by the National Electoral Council, for the realization of electoral processes. The services include but are not limited to the licensing and equipping the new electoral platform, production and enlistment of voting machines, and making reports and notices.

The final importation of the exempted goods must be made through a customs office chosen by the National Electoral Council; the office must register the exempted operation, date of the import, CIF value and the number of imported goods, customs duties, exempted VAT, and compensatory, anti-dumping and default duties.

Ordinary VAT taxpayers and agents of the National Electoral Council purchasing, selling or providing services with the goods imported must indicate for each exempted operation, the purchase order, service order or contracts, indicating in the same or in the invoices the mention "Exempted Operation".

Ordinary VAT taxpayers making domestic sales or providing services that can benefit from the exemption must issue a Certificate of Exempted Output VAT according to the formalities set out in Administrative Guidelines No. 71 regarding the *General Rules for the Issue of Invoices and Other Documents*. Those taxpayers may, subject to certain requirements, recover the input VAT derived from the VAT paid on the importation or acquisition of goods and services.

For additional information, please contact [Ronald Evans](#), [José P. Barnola Jr](#) or [Óscar Moreán](#).

Asia-Pacific

[Please note that material pertaining to the Eurasian Economic Union (EAEU) and the Customs Union between Russia, Armenia, Belarus, Kazakhstan and the Kyrgyz Republic is shown under EUROPE.]

AUSTRALIA

DHA notices and advices

The following Department of Home Affairs (DHA, formerly Immigration and Border Protection (DIBP)) Notices and Cargo advices (ACCA) were issued during the period covered by this Update:

Date	Series and №	Title
15-11-18	DHA № 2018/35	Amendments to the Customs Act 1901 – Collecting tobacco duties at the border

Australian Gazettes

The following documents were published in the *Government Notices Gazette*, the *Tariff Concessions Gazette* (TC) or other Gazettes as noted(dd-mm-yy):

Date	Matter
07-11-18	Gazette No. TC 18/43

Date	Matter
15-11-18	Gazette No. TC 18/44
16-11-18	Notice under Subsection 234AA(3) of the Customs Act 1901 - Specification of Areas to which Section 234AA applies (No. 2615) - Newcastle Airport C2018G00910
	Notice under Paragraph 15(1)(b) of the Customs Act 1901 - Airport Appointment (No. 2613) - Newcastle Airport C2018G00911
	Notice under Paragraph 15(2)(b) of the Customs Act 1901 - Boarding Station Appointment (No. 2614) - Newcastle Airport C2018G00912
21-11-18	Gazette No. TC 18/45
28-11-18	Gazette No. TC 18/46

Australian Tariff Precedents

The Department of Immigration and Border Protection (DIBP) has published a [List of Current Precedents](#), updated through 13 June 2017. Tariff Precedents are considered statements from Customs made to provide guidance on various classification issues. New information and tariff classification guides can be found on [Tariff Public Advice Products](#) webpage

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

CHINA (INCLUDING HONG KONG SAR)

"Grace period" for cross-border e-commerce pilot program indefinitely extended

The State Council executive meeting convened on November 21, 2018 decided that the current policies implemented starting from April 2016 with respect to the cross-border e-commerce pilot program ("CBE") will continue after the current "grace period" expires on December 31, 2018.

The highlights of the decisions announced at the meeting include:

1. The pre-importation registration or approval requirements for certain special products (e.g., infant milk formula, cosmetics, medical devices, health food, etc.), which would be applied if they are imported as ordinary commercial goods, will continue to be waived after December 31, 2018. Unlike the previous announcements which simply extended such waiver for an additional period, this waiver has now been extended indefinitely.
2. The current tax policy under which customs duties are exempted and import VAT and consumption taxes are collected at a 30% discount for the products imported under CBE will continue to be implemented.
3. The scope of the "positive lists", which contain the tariff categories for the products permitted to be sold under CBE, will be expanded to include 63 new tariff categories. The list of these new tariff categories has yet to be announced.
4. The value limit for each shipment under CBE will be increased from RMB 2,000 to RMB 5,000 in order to allow importation of high-end consumer goods, and the annual quota of the goods imported by each individual under CBE will be increased from RMB 20,000 to RMB 26,000.

The State Council meeting did not announce the effective date of the new policies regarding "positive lists" expansion and the changes to the value limit and

annual quota, but we believe that the new policies and the relevant changes would most likely take effect on January 1, 2019.

Observations and Suggestions

The decisions announced during the State Council meeting are generally consistent with the provisions of the new E-Commerce Law of PRC, effective from January 1, 2019, which do not make any exception for cross-border ecommerce operations, including those conducted under CBE. In the meantime, we also have the following observations and suggestions.

The "retaliatory tariffs" imposed by Chinese government on the US origin products in the context of the ongoing US-China trade tension are currently not applied to the goods imported under CBE. This may result in more US products diverted from the ordinary channel to the CBE channel.

In the meantime, there is a clear tendency of Chinese authorities, in particular, China Customs, to tighten up enforcement against manipulation of the CBE channel for shady business activities, such as Daigou traders importing products under CBE and distributing them to individual consumers for a profit.

Given the expanded scope of the "positive lists", the tariff classification disputes, which are commonly seen in ordinary commercial imports, may also arise in the CBE imports, as retailers endeavor to classify their products as qualifying for the CBE channel.

Last but not least, notwithstanding the waiver of the pre-importation registration requirements, there remains uncertainty as to whether the products under CBE need to comply with part (if not all) of the Chinese national or industrial standards. As a matter of fact, the border authorities in China retain the authority to inspect the products under CBE for any significant issues concerning human health and safety.

Therefore, a revisit of the e-commerce supply chain structure in the context of these new policies and enforcement trends would be useful to ensure compliance with the relevant regulatory, customs and tax requirements.

If you have any questions on the topics covered or need further clarification on any particular issue, please do not hesitate to get in touch with your usual contact at Baker McKenzie FenXun, or [Zhenyu Ruan](#), [Frank Pan](#) or [Tina Li](#).

MOFCOM and GAC notices

The following Ministry of Commerce (MOFCOM) and General Administration of Customs (GAC) notices were posted during the period covered by this Update (mm-dd-yy):

Date	Series and No	Subject
10-29-18	Joint Announcement [2018] No. 13	Joint Announcement of the General Administration of Finance of the Ministry of Industry and Information Technology of the Ministry of Industry and Information Technology of the National Development and Reform Commission No. 13 of 2018 (On the publication of the integration of integrated circuit line width less than 0.25 microns or investment of

Date	Series and №	Subject
		more than 8 billion yuan, line width less than 0.5 microns (inclusive) List of circuit manufacturers)
11-02-18	GAC Ann. [2018] № 159	Publication of the decision on the classification of some commodities
11-07-18	GAC Ann. [2018] № 162	Preventing the Launch of the Chikungunya Thermal Outbreak in Sudan
11-13-18	GAC Ann. [2018] №167	Piloting the Expansion of Market Procurement Trade Mode
11-16-18	GAC Ann. [2018] № 169	Comprehensive promotion of the printing reform of the Customs-Specific Payments Letter
	GAC Ann. [2018] № 171	On the extension of the implementation of No. 127 and No. 135 of 2018
	GAC Ann. [2018] № 172	Issuing Customs Industry Standards
11-21-18	GAC Ann. [2018] №173	Time limit for the approval of the health permit for the compression of border ports
11-23-18	GAC Order [2018] 243	Promulgation of the Decision of the General Administration of Customs on Amending Certain Regulations
11-30-18	MOFCOM, GAC, MOF, GAMS № 486	Notice of MOFCOM, Min. of Finance, General Administration Customs, Gen. Adm. of Market Supervision, on the Improvement of Cross-border E-Commerce Retail Import Supervision

Antidumping and Countervailing Duty Cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

Hong Kong Trade and Industry Department (TID) notices (dd-mm-yy)

Date	Matter
02-11-18	STC Cir. 11/2018 Permit Requirement for 2019 and Report on Past Activities in 2018 for Scheduled Chemicals and Unscheduled Discrete Organic Chemicals under Chemical Weapons (Convention) Ordinance, Cap. 578

INDIA

Material in this section and the India *Antidumping Countervailing Duty and Safeguards Investigations* section was prepared by [Sonia Gupta](#) of [Ashok Dhingra Associates](#), Attorneys at Law, Gurgaon (Haryana), India

Notification regarding safeguard measures concerning solar cells

On 30 October, 2018, in pursuance of Article 12.5 of the *Agreement on Safeguard* (AOS), India and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu jointly communicated results of consultations under Article 12.3 of the AOS regarding discussions on safeguard measures concerning solar cells, whether or not assembled in modules or panels, circulated by the Council on Trade in Goods and Committee on Safeguards vide [Notification Nos. G/L/1277 | G/SG/192](#) (dated 2 November, 2018).

India notifies new standards regarding Draft Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2018

India notified the Committee on Sanitary and Phytosanitary Measures concerning draft *Food Safety and Standards (Food Products Standards and Food Additives)*

Amendment Regulations, 2018 relating to standards for frozen beans, frozen cauliflower, frozen peas and frozen spinach, inviting comments from Member States before 4 January, 2019, circulated by the Committee on Sanitary and Phytosanitary Measures vide [Notification No. G/SPS/N/IND/225](#) (dated 5 November, 2018).

India requests to co-sponsor Intellectual Property and the Public Interest: Promoting Public Health through Competition Law and Policy

On 6 November, 2018, India requested to co-sponsor submission by South Africa regarding Intellectual Property and the Public Interest: Promoting Public Health through Competition Law and Policy, circulated by the Council for Trade-Related Aspects of Intellectual Property Rights vide [Notification No. IP/C/W/649/Add.2](#) (dated 7 November, 2018).

India notifies activities of State Trading Enterprises

On 15 October, 2018, in pursuance of Article XVII:4(a) of the *General Agreement on Tariffs and Trade, 1994* and Paragraph 1 of the *Understanding on Interpretation of Article XVII*, India notified details of export and import privileges enjoyed by State Trading Enterprises (STEs), reasons and purposes for introducing and maintaining STEs and import, export and domestic activities of STEs for 2012-13 and 2013-14, circulated by the Working Party on State Trading Enterprises vide [Notification No. G/STR/N/15/IND](#) (dated 8 November, 2018).

Communication from the United States regarding certain measures of India providing market price support to cotton

In pursuance of Article 18.7 of the *WTO Agreement on Agriculture*, the United States communicated regarding measures of India providing market price support to cotton from 2010-11 to 2016-17, circulated by the Committee on Agriculture vide [Notification No. G/AG/W/188](#) (dated 9 November, 2018).

Communication regarding disciplines for supply of service

On 22 November, 2018, India communicated regarding disciplines for supply of service through presence of natural person of a Member State in territory of another Member State in pursuance of Article VI:4 of the *General Agreement on Trade in Services* (GATS), circulated by the Working Party on Domestic Regulation vide [Notification No. S/WPDR/W/61](#) (dated 26 November, 2018).

Report on anti-dumping practices

In pursuance of Article 16.4 of the *Uruguay Round Agreement*, India and other Member States submitted reports concerning preliminary and final Anti-dumping actions during October 2018, reproduced by the Committee on Anti-dumping Practices vide [Notification No. G/ADP/N/320](#) (dated 29 November, 2018).

CBIC organises WCO meeting for Asia Pacific Region

28th Regional Contact Point (RCP) meeting of Asia Pacific Region of World Customs Organisation (WCO) organized by Central Board of Indirect Taxes and Customs (CBIC) at Jaipur, India from 14-16 November, 2018, circulated vide [Press Release](#) (uploaded on 14 November, 2018).

Other CBIC and DGFT notifications, circulars and instructions

Central Board of Indirect Taxes and Customs (CBIC) and Directorate General of Foreign Trade (DGFT) issued following notifications, circulars (Cir) and instructions during the period covered by this Update:

Date	Series and No	Subject
CBIC Non-Tariff Notifications		
01-11-18	90/2018-Cus (NT)	Exchange rate notification providing conversion rate of foreign currencies to INR
05-11-18	91/2018-Cus (NT)	Powers exercisable by the Central Board of Indirect Taxes and Customs can also be exercised by the Principal Chief Commissioner of Customs or the Chief Commissioner of Customs to assign cases for adjudication of show cause notices issued under the Customs Act, 1962 within respective jurisdictions
15-11-18	92/2018-Cus (NT)	Tariff Notification regarding fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
	93/2018-Cus (NT)	Exchange rate notification providing conversion rate of foreign currencies to INR
30-11-18	94/2018-Cus (NT)	Tariff Notification regarding fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
CBIC Tariff Notifications		
01-11-18	77/2018-Cus	Implementation of increased Customs Duty on import of specified goods originating in the USA postponed till 17 December, 2018
29-11-18	78/2018-Cus	Notification No. 57/2000-Customs dated 8 May, 2000 amended to provide for no replenishment of gold or silver to exporters in specified cases
CBIC Circulars		
02-11-18	42/2018-Customs	Procedure prescribed for pilot on transshipment of export cargo from Bangladesh to third countries through Land Customs Stations to Kolkata Port/ Airport in containers or closed bodied trucks
08-11-18	43/2018-Customs	Uploading of supporting documents on eSANCHIT for implementation of paperless processing under Single Window Interface for Facilitation of Trade (SWIFT) extended to all Indian Customs EDI System (ICES) locations for all types of exports
13-11-18	44/2018-Customs	Uploading of Licenses/ Permits/ Certificates/ Other Authorizations (LPCOs) on eSANCHIT for implementation of paperless processing under SWIFT by specified Participating Government Agencies (PGAs) at all Indian Customs EDI System (ICES) locations
19-11-18	45/2018-Customs	Re-import of goods earlier exported through Post exempt from Customs Duty
27-11-18	46/2018-Customs	Electronic Nicotine Delivery Systems including e-Cigarettes, Heat-Not-Burn devices, Vape, e-Sheesha, e-Nicotine Flavoured Hookah and like products interalia cannot be imported except for purpose, manner and to the extent approved under the Drugs and Cosmetics Act, 1940
	47/2018-Customs	Corrigendum regarding uploading of Licenses/ Permits/ Certificates/ Other Authorizations (LPCOs) on eSANCHIT for implementation of paperless processing under Single Window Interface for Facilitation of Trade (SWIFT) by specified Participating Government Agencies (PGAs)
CBIC Instructions		

Date	Series and No	Subject
22-11-18	19/2018-Customs	Proforma prescribed for submission of arrest report and incident report in relation to offences under the Customs Act, 1962
26-11-18	20/2018-Customs	Procedure prescribed for processing IGST refund on exports of goods from non-EDI sites
DGFT Notifications		
05-11-2018	43/2015-2020	Export of findings like posts, push backs, locks which help in collating jewellery pieces together, containing gold of 3 carats and above, up to maximum limits of 22 carats only from Domestic Tariff Area and EOU/ EHTP/ STP/ BTP units allowed
30-11-18	44/2015-2020	Export of Gold idols, gods and goddess only, of 8 carats and above, upto 24 carats, allowed from Domestic Tariff Area (DTA)
30-11-18	45/2015-2020	Import policy of Gold Dore prescribed as Restricted
DGFT Public Notices		
01-11-18	43/2015-2020	Implementation of track and trace system for export of pharmaceuticals and drug consignments along with maintaining parent-child relationship in packaging levels and its uploading on Central Portal extended up to 1 July, 2019 for both SSI and non-SSI manufactured drugs
05-11-18	44/2015-2020	Details of products falling under jurisdiction of Export Promotion Council for EOUs and SEZ Units and Services Export Promotion Council provided
15-11-18	45/2015-2020	Period for installation and operationalisation of Radiation Portal Monitors and Container Scanner at designated ports extended up to 31 March, 2019
	46/2015-2020	Re-transfer/ re-export of SCOMET items for Stock and Sale purpose allowed within country of stockist and to end users in other specified countries approved by the Inter-Ministerial Working Group (IMWG) on post reporting basis
16-11-18	47/2015-2020	Validity period of Export Promotion Capital Goods (EPCG) Authorisation extended from 18 months to 24 months from date of issuance of authorisation
20-11-18	48/2015-2020	Bhadoli notified as Town of Export Excellence for carpets and other floor coverings
22-11-18	49/2015-2020	Non-Basmati rice items made eligible for MEIS benefits at rate of 5% for exports from 26 November, 2018 up to 25 March, 2019
26-11-18	50/2015-2020	Procedure for allocation of quota for import of Calcinated Pet Coke (CPC) for use in Aluminium industry and Raw Pet Coke for CPC manufacturing industry notified
30-11-18	51/2015-2020	Wastage Norms and Value Addition in respect of Gold religious idols, only gods and goddess, both plain and studded, of 8 carats and above upto 24 carats prescribed
	52/2015-2020	Fee for issuance of Preferential Certificate of Origin (COO) and Post Verification of self-certified COO under EU-GSP and verification fee under other Free Trade Agreements prescribed
	53/2015-2020	Provision for fees for Preferential Certificate of Origin (COO) and Post Verification of self-certified COO under EU-GSP
	54/2015-2020	Appendix-2X introduced mentioning list of Refineries/Mint granted Bureau of Indian Standards License as on 31 July, 2018

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

INDONESIA

The new regime of Customs Valuation Advice

The Ministry of Finance (MOF) has recently issued [Regulation No. 134/PMK.04/2018 on Valuation Advice](#) (Regulation 134), which came into effect on 2 November 2018.

Regulation 134 aims to accelerate the process of customs clearance from the customs zone, and to speed up the review process of imported goods' customs value, in accordance with the World Trade Organization Trade Facilitation Agreement and World Customs Organization Technical Guidelines on Advance Rulings for Classification, Origin, and Valuation.

Read our detailed [Client Alert: The New Regime of Customs Valuation Advice](#) prepared by [Riza Buditomo](#) and [Nandina Kusumaningrum](#).

MOF provides more detailed provisions on Bonded Zone under the new regime

Overview

In a new regulation, the Minister of Finance (MOF) has shifted the authority to issue bonded zone licenses from the Directorate General to the Head of Customs Regional Office. The new regulation provides for the OSS system, a newly-developed system for licensing in Indonesia and it further stipulates that companies that would like to apply for a bonded zone license must have a Business Identification Number (Nomor Induk Berusaha - NIB). Please [click here](#) to see our publications on the OSS system.

The above provisions are stipulated under Regulation No. 131/PMK.04/2018 on Bonded Zone (Reg 131) which revokes MOF Regulation No. 147/PMK.04/2011 on Bonded Zone as lastly amended by MOF Regulation No. 120/PMK.04/2013.

Reg 131, which comes into effect on 25 November 2018, also amends several provisions on bonded zone, which are summarized below.

Several Key Changes

Old Regime	New Regime
Directorate General issues Bonded Zone licenses	Head of Customs Regional Office issues Bonded Zone licenses
No NIB provision	NIB as a requirement to obtain the Bonded Zone license
No provision on taxpayer confirmation	Taxpayer confirmation is required to obtain the Bonded Zone license
Licensing application is submitted manually and electronically to customs system	Licensing application is submitted through electronic (INSW) system that is integrated with the OSS system - and manually if the submission cannot be conducted electronically
No provision on certain customs treatment	Accommodates certain customs treatment
Blacklist for Bonded Zone license - if the company has criminal history in customs	Blacklist for the Bonded Zone license - if the company has criminal history in customs, has been declared bankrupt, has debt arrears in the fields of customs, excise and tax

Old Regime	New Regime
The bonded zone operation must update its bonded zone license if there are changes in its address and tax ID number	The bonded zone operation is no longer required to update its bonded zone license if there are changes in address and tax ID number
There is no obligation on report submission	It is required to submit a report on (i) economic effect and (ii) financial report
Incoming & Outgoing goods: does not accommodate SEZ and BLC	Accommodate SEZ, and all bonded stockpiling place
No clear provisions on type of incoming and outgoing goods	More clear (Article 20 par. (3), 21 par. (3), 23 par. (2))
No tax invoice provision	Tax invoice must state: "PPN tidak dipungut sesuai PP Tempat Penimbunan Berikat"
Outgoing goods only covered "Finished Goods", RM, scrap/waste, capital goods, sample	More "Goods" covered, such as packaging, auxiliary materials
Complex procedure to calculate import duty and tax payable	Simplification of calculation. No more condition for "broken goods"
No provision on temporary release	Temporary release is allowed
Submission of import document (PIB) → taxpayer confirmation is not required	Taxpayer confirmation is not required, accommodate PIB submitted by courier service
Warehousing → not cover BLC	Warehousing → cover BLC
Few conditions for suspension and revocation	More strict conditions for suspension and revocation
No provision on self service	Self service is allowed for certain conditions

Impact for Applicants

- Applicants for a bonded zone license must be registered in the OSS system and already have a NIB.
- To accommodate the licensing system in Indonesia shifting to the OSS system, the submission of bonded zone application will go through Indonesia National Single Window which has been integrated with the OSS system.
- There are more strict provisions for applicants for bonded zone licenses, i.e., never committed a customs or excise crime that has permanent legal force, have never been declared bankrupt by a court which has permanent legal force and do not have debt arrears in the fields of customs, excise or taxation.
- The holders of a bonded zone license will have more reporting obligations i.e., economic effect report and financial report.

For additional information, contact the author [Riza Buditomo](#).

MALAYSIA

Implementation of the new Sales and Service Tax (SST)

With effect from 1 September 2018, SST was introduced to replace the existing goods and services tax ("GST") regime. The changes were effected pursuant to the following Acts of Parliaments (together with subsidiary legislation):

- Goods and Service Tax (Repeal) Act 2018
- Sales Tax Act 2018
- Service Tax Act 2018

Under the SST framework, service tax is imposed at 6% on the provision of taxable services by a registered person in the course or furtherance of a business in Malaysia. Taxable services include hotels, food and beverage preparation, consultancy and management services, courier services, information technology services and advertising services. Sales tax is chargeable on the manufacture of taxable goods in Malaysia and the importation of taxable goods into Malaysia, at the rate of 5% or 10% or a specified rate depending on the category of goods.

Businesses should pay attention to the transitional rules applicable, particularly with respect to supplies spanning the effective date of 1 September 2018. All ongoing contracts with vendors and customers should be reviewed to determine the SST implications. Ongoing contracts with existing indirect tax clauses may impact the ability to charge SST and pass on the SST burden to customers.

Following the repeal of the GST regime, GST-registered persons are required to file a final GST return within 120 days (i.e., by 29 December 2018). The Royal Malaysian Customs Department has indicated that GST closing audits will be conducted from 1 September 2018 onwards, and businesses are advised to carry out a GST review or health check to determine any potential non-compliance issues in advance of the audits.

It is expected that anti-profiteering enforcement will increase with the implementation of SST, and therefore any price adjustments made during this period should be managed carefully to ensure compliance with the anti-profiteering laws.

For additional information contact [Adeline Wong](#), [Yvonne Beh](#) or [Yi Lyn Tan](#).

NEW ZEALAND

Public views sought on UK-NZ trade deal

On 23 November 2018, the New Zealand Government [announced](#) that it is calling for public submissions on a post-Brexit free trade agreement with the United Kingdom. New Zealand and the UK have committed to launching negotiations as soon as the UK is in a position to do so. In line with the Government's Trade for All agenda, New Zealand will seek an agreement that safeguards high standards and protections for labour and the environment, and also promotes gender equality and indigenous rights, among other things.

New Zealand wants a high quality, comprehensive and progressive trade agreement with the UK that builds on our already strong relationship. The key benefits that New Zealand will be looking for in the free trade agreement include:

- Removing tariffs, duties and other barriers that restrict the free flow of goods between the two countries
- Making it easier for traders of all sizes to do business in the UK, including service providers
- Strengthening cooperation and dialogue with the UK in a variety of trade and economic fields
- Reflecting both countries' goals including progress on gender equality, indigenous rights, climate change, and improved environmental outcomes.

Some key areas in which New Zealand will be seeking even closer cooperation with the UK under the FTA include:

- High quality primary sector and goods access to the UK's market, such as for meat, fruit, fisheries, forestry, dairy and wine
- Helpful conditions for investment and services providers who operate between the two countries
- Commitments on progressive trade issues including environmental and labour protections, indigenous rights and gender equality.

Submissions can be made in writing until midnight 11 February 2019 to UKFTA@mfat.govt.nz. For more information on the UK-NZ FTA visit www.mfat.govt.nz/ukfta.

Working Tariff Document

The [Working Tariff Document](#) has been reprinted and will be effective on 30 December 2018. It includes tariff preferences, including the new CPT, which refers to goods entitled to be entered as the produce or manufacture of specified Parties to the *Comprehensive and Progressive Trans-Pacific Partnership Agreement* (CPTPP) as well as the Excise and Excise-equivalent Duties Table which provides for the imposition of an excise and excise-equivalent tax on certain goods (for example—alcoholic beverages, tobacco, fuel).

New Zealand Gazette

The following international trade related documents were published in the *New Zealand Gazette* (dd-mm-yy):

Date	Matter
01-11-18	Tariff Concession Advertisement Notice 49 2018
12-11-18	Comprehensive and Progressive Agreement for Trans-Pacific Partnership Amendment Act 2018 Commencement Order 2018
	Tariff (Specified CPTPP Parties) Order 2018
	Customs and Excise (Rules of Origin for CPTPP Goods) Amendment Regulations 2018
15-11-18	Tariff Concession Advertisement Notice 50 2018
	Tariff Concession Approval Notice 50 2018
21-11-18	Determinations Relating to Dumping Investigation: Hollow Steel Sections From China and Malaysia [negative determination]
27-11-18	Excise and Excise-equivalent Duties Table (Tobacco Products Indexation and Separate 10% Increase) Amendment Order 2018

SINGAPORE

Latest border enforcement legislation enhances anti-counterfeiting capabilities of the Singapore Customs and intellectual property rights holders

The *Intellectual Property (Border Enforcement) Act 2018* (IPBE Act) was passed in the Singapore Parliament on 9 July 2018 and was assented to by the President on 2 August 2018. The IPBE Act implements a phased approach to fulfilling Singapore's obligations under the *European Union-Singapore Free Trade Agreement* (EUSFTA) and Singapore's commitment to enhancing its border enforcement measures. It will also provide Singapore Customs ("Customs") and intellectual property rights (IPR) holders with new and enhanced anti-counterfeiting powers.

The *International Trade Compliance Update* is a publication of the Global International Commercial and Trade Practice Group of Baker McKenzie. Articles and comments are intended to provide our readers with information on recent legal developments and issues of significance or interest. They should not be regarded or relied upon as legal advice or opinion. Baker McKenzie advises on all aspects of International Trade law.

Comments on this *Update* may be sent to the Editor:

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A note on spelling, grammar and dates--

In keeping with the global nature of Baker McKenzie, the original spelling, grammar and date formatting of non-USA English language material has been preserved from the original source whether or not the material appears in quotes.

Translations of most non-English language documents are unofficial and are performed via an automated program and are for information purposes only.

Credits:

Unless otherwise indicated, all information is taken from official international organization or government websites, or their newsletters or press releases.

Source documents may be accessed by clicking on the blue hypertext links.

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The IPBE Act will include amendments to the *Copyright Act* (CA), *Trade Marks Act* (TMA), *Registered Designs Act* (RDA) and *Geographical Indications Act* (GIA).

For a full discussion of the new law and its phase in, please read our [Client Alert: Singapore's latest border enforcement legislation enhances anti-counterfeiting capabilities of the Singapore Customs and intellectual property rights holders](#) prepared by [Andy Leck](#) and [Lim Ren Jun](#).

For further background, please refer to our [August 2018](#) and [May 2018](#) IP newsletters which discussed the IPBE Act and the IPBE Bill respectively).

VIETNAM

Vietnam ratifies the CPTPP

On 12 November 2018 the Vietnam National Assembly officially ratified the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* ("CPTPP"). The agreement has already been ratified by Australia, Canada, Japan, Mexico, New Zealand and Singapore and it will enter into force on 30 December 2018 in those countries. The CPTPP shall enter into force for Vietnam 60 days after Vietnam officially notifies New Zealand, the official depository, in writing of Vietnam's ratification. The same 60 day procedure for entry into effect will apply for the remaining 4 members, Brunei, Chile, Malaysia and Peru, following each nation's respective ratification.

Click [here](#) to read our full summary analysis. For additional information, please contact [Fred Burke](#) or [Thanh Vinh Nguyen](#).

Europe, Middle East and North Africa

European Union and EFTA

EFTA Ministerial meeting

The European Free Trade Association (EFTA) Secretariat [announced](#) that the bi-annual EFTA Ministerial meeting was held in Geneva on 23 November. The Ministers discussed EFTA's global trade strategy and priorities in the current trade policy environment, as well as EFTA's approach to trade and gender.

The EFTA States also took the opportunity to announce the conclusion of the negotiations with Indonesia, the signing of a Joint Declaration on Cooperation with the Republic of Kosovo, and adopted two decisions and signed an updated bilateral agricultural agreement with the State of Israel.

The EFTA Ministers confirmed their commitment to advancing negotiations with India, Mercosur, Vietnam and Malaysia. Ministers took stock of the progress in the negotiations with the South African Customs Union (SACU) on updating the existing agreement and expressed their willingness to conclude these negotiations swiftly. Moreover, they discussed the possibility of updating the Agreements with Canada, Chile and Mexico as well as perspectives and timeframe for a possible launching of FTA negotiations with Pakistan, Moldova and Kosovo. They also underlined their readiness to start technical talks with Thailand regarding a possible resumption of negotiations once conditions allow.

- [EFTA and Indonesia conclude trade negotiations](#)

- [EFTA and Kosovo sign Joint Declaration on Cooperation](#)
- [EFTA States and Israel sign revised bilateral agricultural agreements](#)
- [EFTA-Israel Joint Committee adopts two decisions](#)

Creation of proposed SPV to protect EU companies from US sanctions against Iran continues to be delayed

Following the snap-back of US sanctions on 5 November 2018, Foreign and Finance Ministers from the UK, France, Germany and the EU published a joint statement in which they expressed their "regret" at the re-imposition of sanctions on Iran by the US and also reiterated their "aim to protect European Economic operators engaged with legitimate business with Iran". These comments suggest that the EU is determined to continue economic relations with Iran and that the proposed Special Purpose Vehicle ("SPV"), announced by the EU on 24 September, is still under consideration.

Little detail has been forthcoming in terms of how the SPV would work operationally since the EU's announcement regarding the decision to establish the SPV. At the time of the EU's announcement, the SPV was described as a legal entity that would facilitate "legitimate financial transactions with Iran" in order to allow European companies to continue trading with Iran despite the threat of US sanctions. It was also suggested that the SPV may be opened to companies in other countries in order for them to engage in Iran-related transactions.

Practically, it is likely the SPV would engage in Iran-related transactions on behalf of companies and the SPV would therefore assume the risks that would otherwise be taken on by individual companies when engaging in Iran-related transactions. Furthermore, we envisage that the SPV would operate outside of the US dollar financial system, especially in light of the Trump administration's comments on 2 November that the financial messaging service SWIFT could be targeted by sanctions for providing services to Iranian financial institutions. SWIFT has since announced that it will be suspending certain Iranian banks from accessing its messaging system.

However, it has been reported that the EU is struggling to find a country to host the SPV with reports indicating that Austria had refused. As such, the SPV appears to be a long way from creation.

If you have any questions, please contact the authors, [Sunny Mann](#), [Ross L. Denton](#) or [Akash Sikka](#).

European Council approves BREXIT agreement – now will the UK Parliament?

On 25 November 2018, at a special meeting pursuant to Article 50, the European Council [endorsed](#) the *Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community*. On this basis, the European Council invited the Commission, the European Parliament and the Council to take the necessary steps to ensure that the agreement can enter into force on 30 March 2019, so as to provide for an orderly withdrawal.

The European Council also approved the Political Declaration setting out the framework for the future relationship between the European Union and the

United Kingdom of Great Britain and Northern Ireland. The European Council re-stated the Union's determination to have as close as possible a partnership with the United Kingdom in the future in line with the Political Declaration. The Union's approach will continue to be defined by the overall positions and principles set out in the previously agreed European Council's guidelines.

However, despite the European Commission's approval, the agreements must still be approved by the UK Parliament where several Members of the House of Commons have said that it will not be approved.

EU launches consultation on EU Single Window for customs

The Taxation and Customs Union announced that the European Commission has launched a [public consultation](#) to inform a study for a possible new initiative to develop a single window environment for customs.

The consultation is about the processes related to regulatory requirements from customs and other authorities (health, agriculture, environment, fisheries, etc.) that have to be fulfilled for the clearance of goods crossing EU borders, and how they might be improved.

The results of the public consultation will feed into a study for DG TAXUD and be used as evidence for decisions about the initiative.

The consultation is open until 16 January 2019, and it is important to gather the views of as many businesses, individuals and other interested parties as possible.

Council adopts new EU strategy against illicit firearms, small arms and light weapons and their ammunition

On 19 November 2018, the Council of the European Union adopted a new EU strategy against illicit firearms, small arms and light weapons (SALW) and their ammunition "Securing arms, protecting citizens".

Illicit SALW continue to contribute to instability and violence in the EU, in its immediate neighborhood, and in the rest of the world. Illicit small arms are fueling armed violence and organised crime, global terrorism and conflicts, thwarting sustainable development and crisis management efforts. They destabilise entire regions, states and their societies, and increase the impact of terrorist attacks. This is why the Council is committed to preventing and curbing the illicit trade in SALW and their ammunition and is promoting accountability and responsibility with regard to their legal trade.

The new EU strategy replaces the strategy adopted in 2005. The new strategy takes into account the evolved security context, including the threat of terrorism inside the EU and developments in SALW design and technology affecting the capacity of governments to address the threat. It also takes into account the guiding principles of the 2016 EU Global Strategy.

- [Read the full text of the conclusions and the strategy](#)

Negotiations between the EFTA States and Indonesia on a CEPA concluded in principle

On 1 November 2018, the European Free Trade Association (EFTA) [announced](#) that a wrap-up meeting for the negotiations between the EFTA States and Indonesia on a *Comprehensive Economic Partnership Agreement* (CEPA) took place in Bali, Indonesia, from 29 October to 1 November.

The meeting allowed delegations to conclude the CEPA negotiations in principle, with some follow-up work on a limited number of issues as well as the legal review of some texts of the Agreement still pending. Delegations agreed to aim at completing the follow-up work and the legal review in the next few weeks, with the aim to allow an early signing of the CEPA.

Negotiations towards a CEPA were launched in July 2010, with the first round held early 2011 in Jakarta, Indonesia.

Iran Nuclear Deal: joint statement by UK, France and Germany

On 2 November 2018, a [joint statement](#) was released by Foreign and Financial Ministers of the UK, France and Germany, including Philip Hammond and Jeremy Hunt, expressing the countries' regret regarding the re-imposition of sanctions on Iran by the U.S. as a result of the U.S.'s withdrawal from the *Joint Comprehensive Plan of Action* (JCPoA).

The statement highlights the nations' view that the JCPoA is an important tool in the process of nuclear non-proliferation and states that "It is crucial for the security of Europe, the region, and the entire world." It further highlights that Iran has met and implemented all nuclear commitments, which has been independently confirmed by 12 consecutive reports from the International Atomic Energy Agency.

The UK, France and Germany commit to working with Iran to ensure maintenance of financial channels and the export of oil and gas via an initiative to establish a Special Purpose Vehicle which will allow European parties to pursue legitimate trade with Iran. This intention is supported by the EU, demonstrated by the implementation of amendments to the EU Blocking Regulation which came into force in August of this year. The function of these amendments to the EU Blocking Regulation is to block the application in the EU of extraterritorial U.S. sanctions targeting Iran. Further details of this Regulation can be found in previous blogs posts, [here](#). It is, however, acknowledged in the joint statement that further work is required, and is being undertaken, to reassure businesses wishing to pursue trade with Iran.

For further information, contact the author, [Ross L. Denton](#).

European Parliament issues a non-binding resolution on Russia's actions in the Sea of Azov

On 25 October 2018, the European parliament passed a non-binding resolution expressing its concerns over Russia's actions in the Sea of Azov, in particular the construction of the Kerch Bridge and inspections of ships going through the Kerch Strait (actions that the Parliament suggests are in breach of international maritime law and Russia's international commitments).

The Resolution welcomes the Council's decision to impose sanctions on six companies involved in the construction of the bridge, and it calls on the Commission

and Member States to assess and share information regarding potential sanctions violations by European companies thought to be involved.

The EU Parliament also requests that the High Representative of the Union for Foreign Affairs and Security Policy (Federica Mogherini) consider "appropriate countermeasures" if necessary to discourage the actions of the Russian Federation, and urges the High Representative, Council and the Member States to make it clear that sanctions targeting Russia will be "reinforced" if the conflict in the Azov Sea escalates.

The resolution is non-binding, so does not have an immediate effect on EU businesses, however it was forwarded to the Council, High Representative, Commission, and EU Member States for consideration (in addition to the Organisation for Security and Cooperation in Europe, NATO, and President, Government and Parliament of Ukraine, the President, Government and Parliament of the Russian Federation).

If you have any questions, please contact the author, [Ross L. Denton](#).

FTA between EFTA and Indonesia concluded in substance

[Please see SWITZERLAND section below.](#)

Commission issues tariff classification regulations

[See separate section below](#) for tariff classification regulations issued by the European Commission during the period covered by this Update.

Amendments to the CN Explanatory Notes

No amendments to the *Explanatory Notes to the Combined Nomenclature of the European Union* were published in the *Official Journal* during the period covered by this Update.

Binding Tariff Information

The European Community has created the Binding Tariff Information (BTI) system as a tool to assist economic operators to obtain the correct tariff classification for goods they intend to import or export.

Binding Tariff Information is issued on request to economic operators by the customs authorities of the Member States. It is valid throughout the Community, regardless of the Member State which issued it. For information about an existing BTI, you may want to contact the [customs administration of the Member State](#) which issued it. However, remember that, according to the provisions for data protection, there are limitations as to the information an administration can provide. You can search and consult existing BTIs on the [EBTI-database](#).

Official Journal documents

The following documents of interest to international traders (excluding documents relating to day-to-day management of agricultural matters, individual protected designations of origin registrations, approvals or restrictions on specific substances and fishing rights) were published in the *Official Journal of the European Union*:

OJ Date	Subject
06-11-18	<u>Commission Implementing Regulation (EU) 2018/1648 of 29 October 2018 authorising the placing on the market of xylo-oligosaccharides as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470</u>
	<u>Commission Regulation (EU) 2018/1649 of 5 November 2018 amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards removal from the Union list of certain flavouring substances</u>
	<u>Commission Implementing Regulation (EU) 2018/1650 of 5 November 2018 amending Annex I to Regulation (EC) No 798/2008 as regards the entries for Canada, Russia and the United States in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into or transit through the Union in relation to highly pathogenic avian influenza</u>
	<u>Commission Implementing Decision (EU) 2018/1652 of 6 November 2018 amending the Annex to Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (notified under document C(2018) 7445)</u>
08-11-18	<u>Commission Implementing Regulation (EU) 2018/1660 of 7 November 2018 imposing special conditions governing the import of certain food of non-animal origin from certain third countries due to the risks of contamination with pesticides residues, amending Regulation (EC) No 669/2009 and repealing Implementing Regulation (EU) No 885/2014</u>
	<u>Commission Implementing Decision (EU) 2018/1668 of 6 November 2018 amending Annex I to Decision 2006/766/EC as regards the entry for the United States of America in the list of third countries and territories from which imports of live, chilled, frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods for human consumption are permitted (notified under document C(2018) 7207)</u>
	<u>Commission Implementing Decision (EU) 2018/1669 of 6 November 2018 repealing Decision 2006/80/EC granting certain Member States the derogation provided for in Article 3(2) of Council Directive 92/102/EEC on the identification and registration of animals (notified under document C(2018) 7239)</u>
09-11-18	<u>Council Decision (EU) 2018/1676 of 15 October 2018 on the signing, on behalf of the European Union, of the Investment Protection Agreement between the European Union and its Member States, of the one part, and the Republic of Singapore, of the other part</u>
	<u>Commission Implementing Decision (EU) 2018/1687 of 7 November 2018 amending Decision 2007/25/EC as regards certain protection measures in relation to highly pathogenic avian influenza and movements of pet birds accompanying their owners into the Community, as regards its period of application (notified under document C(2018) 7240)</u>
	<u>Commission Implementing Decision (EU) 2018/1689 of 8 November 2018 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2018) 7511)</u>
12-11-18	<u>Commission Implementing Decision (EU) 2018/1698 of 9 November 2018 concerning certain protective measures relating to African swine fever in Bulgaria (notified under document C(2018) 7543)</u>
	<u>Regulation (EU) 2018/1670 of the European Parliament and of the Council of 23 October 2018 amending Regulation (EC) No 110/2008 as regards nominal quantities for the placing on the Union market of single distilled <i>shochu</i> produced by pot still and bottled in Japan</u>
	<u>Regulation (EU) 2018/1672 of the European Parliament and of the Council of 23 October 2018 on controls on cash entering or leaving the Union and repealing Regulation (EC) No 1889/2005</u>
	<u>Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by criminal law</u>
	<u>Decision (EU) 2018/1674 of the European Parliament and of the Council of 23 October 2018 amending Council Decision 2003/17/EC as regards the equivalence of field inspections carried out in the Federative Republic of Brazil on fodder plant seed-producing crops and cereal seed-producing crops and on the</u>

OJ Date	Subject
	equivalence of fodder plant seed and cereal seed produced in the Federative Republic of Brazil, and as regards the equivalence of field inspections carried out in the Republic of Moldova on cereal seed-producing crops, vegetable seed-producing crops and oil and fibre plant seed-producing crops and on the equivalence of cereal seed, vegetable seed and oil and fibre plant seed produced in the Republic of Moldova
	Notice from the Commission pursuant to Article 4 of the Protocol 1 to the interim Economic Partnership Agreement between the European Union and the Eastern and Southern African States, concerning the definition of the concept of 'originating products' and methods of administrative cooperation — Cumulation between the Republic of Mauritius and the Republic of Botswana, the Republic of Cameroon, the Republic of Guinea, the Republic of Kenya, the Kingdom of Lesotho, the Republic of Madagascar, the Republic of Mozambique, the Republic of Namibia, the Republic of Seychelles, the Republic of South Africa, the Kingdom of Eswatini, the Republic of Zimbabwe and the overseas countries and territories of the Kingdom of the Netherlands [2018/C 407/05]
	Notice from the Commission pursuant to paragraph 17 of Article 4 of the Protocol 1 to the Economic Partnership Agreement between the European Union and the SADC EPA States, concerning the definition of the concept of 'originating products' and methods of administrative cooperation — Notification of the list of materials originating in South Africa and which cannot be imported directly into the EU duty-free quota-free, to which the cumulation provided for under paragraph 2 of Article 4 of the Protocol 1 to the EU-SADC EPA shall not apply [2018/C 407/06]
	Notice from the Commission pursuant to paragraph 14 of Article 4 of the Protocol 1 to the Economic Partnership Agreement between the European Union and the SADC EPA States, concerning the definition of the concept of 'originating products' and methods of administrative cooperation — Cumulation between the European Union and ACP EPA States and the overseas countries and territories of the EU as provided for under paragraphs 3 and 7 of Article 4 of the Protocol 1 to the EU-SADC EPA [2018/C 407/07]
13-11-18	Commission Decision (EU) 2018/1701 of 7 November 2018 on the proposed citizens' initiative entitled 'Mandatory food labelling Non-Vegetarian/Vegetarian/Vegan' (notified under document C(2018) 7300)
	Commission Decision (EU) 2018/1702 of 8 November 2018 establishing the EU Ecolabel criteria for lubricants (notified under document C(2018) 7125)
14-11-18	Value added tax (VAT) — Exempt investment gold — List of gold coins meeting the criteria established in Article 344(1), point (2) of Council Directive 2006/112/EC (special scheme for investment gold) — Valid for the year 2019 [2018/C 412/08]
16-11-18	Commission Implementing Regulation (EU) 2018/1729 of 15 November 2018 amending Regulation (EC) No 206/2009 as regards information to be provided in the posters to travellers and to the general public on certain personal consignments of products of animal origin
	Council Decision (EU) 2018/1730 of 12 November 2018 on the position to be taken on behalf of the European Union at the second meeting of the Conference of the Parties to the Minamata Convention on Mercury with regard to the adoption of guidelines on the environmentally sound interim storage of mercury, other than waste mercury, referred to in Article 10(2) and (3) of the Convention
	Commission Decision (EU) 2018/1733 of 14 November 2018 approving, on behalf of the European Union, the modification of Appendix 1 to Annex XIII to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Ecuador and Peru, of the other part
	Regulation No 9 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of category L2, L4 and L5 vehicles with regard to sound emission [2018/1704]
	Regulation No 63 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of L1 category vehicles with regard to sound emission [2018/1705]
	Regulation No 90 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of replacement brake

OJ Date	Subject
	lining assemblies, drum-brake linings and discs and drums for power-driven vehicles and their trailers [2018/1706] Regulation No 92 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of non-original replacement exhaust silencing systems (NORESS) for vehicles of categories L₁, L₂, L₃, L₄ and L₅ with regard to sound emission [2018/1707]
19-11-18	Recommendation No 1/2018 of the EU-Morocco Association Council of 9 November 2018 approving the extension by one year of the EU-Morocco Action Plan implementing the advanced status (2013-2017) [2018/1783]
20-11-18	Council Decision (CFSP) 2018/1788 of 19 November 2018 in support of the South-Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) for the implementation of the Regional Roadmap on combating illicit arms trafficking in the Western Balkans
	Council Decision (CFSP) 2018/1789 of 19 November 2018 in support of combating the illicit trade in and proliferation of small arms and light weapons in the Member States of the League of Arab States
	Decision No 1/2018 of the EU-Tunisia Association Council of 9 November 2018 adopting the EU-Tunisia strategic priorities for the period 2018-2020 [2018/1792]
21-11-18	Commission Implementing Regulation (EU) 2018/1796 of 20 November 2018 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances amidosulfuron, bifenox, chlorpyrifos, chlorpyrifos-methyl, clofentezine, dicamba, difenoconazole, diflubenzuron, diflufenican, dimoxystrobin, fenoxaprop-p, fenpropidin, lenacil, mancozeb, mecoprop-p, metiram, nicosulfuron, oxamyl, picloram, pyraclostrobin, pyriproxyfen and tritosulfuron
22-11-18	Amendments to the Customs Convention on the International Transport of goods under cover of TIR carnets (TIR Convention 1975)
	Commission Implementing Regulation (EU) 2018/1800 of 21 November 2018 fixing the trigger volumes for the years 2019 and 2020 for the purposes of possible application of additional import duties on certain fruit and vegetables
23-11-18	Council Decision (EU) 2018/1838 of 19 November 2018 on the position to be taken on behalf of the European Union within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part
	Commission Implementing Decision (EU) 2018/1842 of 22 November 2018 amending the Annex to Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (notified under document C(2018) 7911)
26-11-18	Information concerning the signing of the Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Morocco on the amendment of Protocols 1 and 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part
27-11-18	Commission Regulation (EU) 2018/1847 of 26 November 2018 amending Annex V to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products
	Commission Regulation (EU) 2018/1832 of 5 November 2018 amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) 2017/1151 for the purpose of improving the emission type approval tests and procedures for light passenger and commercial vehicles, including those for in-service conformity and real-driving emissions and introducing devices for monitoring the consumption of fuel and electric energy
28-11-18	Commission Implementing Regulation (EU) 2018/1853 of 27 November 2018 granting a Union authorisation for the biocidal product family Teat disinfectants biocidal product family of CVAS
	Commission Implementing Decision (EU) 2018/1856 of 27 November 2018 amending the Annex to Implementing Decision 2014/709/EU concerning animal

OJ Date	Subject
	health control measures relating to African swine fever in certain Member States (notified under document C(2018) 8058) Regulation No 39 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles with regard to the speedometer and odometer equipment including its installation [2018/1857] Amendments to Regulation No 100 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles with regard to specific requirements for the electric power train [2018/1858] Corrigendum to Regulation (EU) 2016/2134 of the European Parliament and of the Council of 23 November 2016 amending Council Regulation (EC) No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment (OJ L 338, 13.12.2016) Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement
29-11-18	Commission Implementing Regulation (EU) 2018/1865 of 28 November 2018 concerning the non-renewal of approval of the active substance propiconazole, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011 Decisions of the EEA Joint Committee No 46/2017 through 67/2017 of 17 March 2017
30-11-18	Commission Implementing Regulation (EU) 2018/1872 of 23 November 2018 derogating from Regulations (EC) Nos 2305/2003, 969/2006 and 1067/2008 and from Implementing Regulations (EU) 2015/2081 and (EU) No 2017/2200, Regulation (EC) No 1964/2006 and Implementing Regulation (EU) No 480/2012 and Regulation (EC) No 1918/2006 as regards the dates for lodging import licence applications and issuing import licences in 2019 under tariff quotas for cereals, rice and olive oil, and derogating from Regulation (EU) 2016/2080 as regards the period for examination of offers for the sale by tender of powdered skimmed milk under public intervention in 2019 Commission Implementing Decision (EU) 2018/1876 of 29 November 2018 on the approval of the technology used in 12 Volt efficient alternators for use in conventional combustion engine powered light commercial vehicles as an innovative technology for reducing CO₂ emissions from light commercial vehicles pursuant to Regulation (EU) No 510/2011 of the European Parliament and of the Council Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 January 2018 to 30 September 2018 (Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2018/C 433/01] Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 October 2018 to 31 October 2018 (Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2018/C 433/02]

Restrictive measures established, amended, corrected

During the past month, the following restrictive measures were established, amended or corrected:

OJ Date	Restrictive Measure
07-11-18	Council Implementing Regulation (EU) 2018/1653 of 6 November 2018 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela

OJ Date	Restrictive Measure
	Council Decision (CFSP) 2018/1656 of 6 November 2018 amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela
	Council Implementing Regulation (EU) 2018/1654 of 6 November 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Implementing Decision (CFSP) 2018/1657 of 6 November 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
08-11-18	Commission Implementing Regulation (EU) 2018/1661 of 7 November 2018 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq
19-11-18	Commission Implementing Regulation (EU) 2018/1781 of 16 November 2018 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq
22-11-18	Commission Implementing Regulation (EU) 2018/1809 of 22 November 2018 amending for the 293rd time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations
	Decisions of the EEA Joint Committee No 1/2017 through No. 45/2017
28-11-18	Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders
29-11-18	Council Implementing Regulation (EU) 2018/1863 of 28 November 2018 implementing Article 21(1) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya
	Council Implementing Decision (CFSP) 2018/1868 of 28 November 2018 implementing Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya

Antidumping and countervailing duty cases

[See separate **Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews** section below.](#)

Individual EU-EFTA Countries

FRANCE

Official Gazette (*Journal officiel*)

Date	Measure
15-11-18	AGRICULTURE: 51 Order of 13 November 2018 amending the Decree of 8 February 2016 on biosecurity measures applicable to poultry and other captive birds as part of the prevention of avian influenza
23-11-18	ACTION AND PUBLIC ACCOUNTS: 19 Order of 14 November 2018 amending the Decree of 17 December 2015 laying down the detailed rules for the application of Article 265 bis of the Customs Code concerning exemption from the internal consumption tax for energy products used as fuel or fuel on board ships

Notices to importers

The following [notices](#) were posted by Directorate General of Customs and Indirect Taxes (For laws and regulations, decrees, etc. please see listings under *Other EU-EFTA Notices - Import-export related measures*, below) :

Release Date	Ref. No. and Subject
09-11-18	2018/62-Notice to importers of certain stainless steel wire from India
13-11-18	2018/63-Notice to Importers of Lever Arch Mechanisms from the People's Republic of China
13-11-18	2018/64-Notice to Importers of New or Retreaded Tires from the People's Republic of China
15-11-18	2018/65-Notice to importers of iron and steel products
19-11-18	2018/66-Notice to importers of ammonium nitrate originating in Russia
30-11-18	2018/67-Notice to importers of citric acid originating in the People's Republic of China

SWITZERLAND

FTA between EFTA and Indonesia concluded in substance

On 1 November 2018, the Swiss Federal Council [announced](#) that negotiations on a free trade agreement between EFTA and Indonesia were concluded in substance, with Switzerland acting as lead negotiator. The agreement means that 98% of Swiss goods will be exempt from customs duties in the medium term. The announcement said:

Within the next few weeks, the last remaining technical details will be clarified and the texts finalised from a legal perspective. A joint declaration on the conclusion of negotiations is due to be made at the EFTA Ministerial Conference in Geneva on 23 November, and the agreement is expected to be signed before the end of the year.

The conclusion of this agreement is a milestone in Swiss trade policy. As was the case with the free trade agreement with the People's Republic of China, Switzerland has succeeded in concluding an agreement with a major partner state before the EU. The free trade agreement is of great economic importance for Switzerland: Indonesia is the world's fourth largest country in terms of population with 260 million inhabitants, and is therefore a major potential market.

98% of Swiss goods will be exempt from customs duties in the medium term

Thanks to the agreement, almost all Swiss exports to Indonesia (98%) will be exempt from customs duty in the medium term. All sectors of the economy are therefore set to benefit – from the food industry (cheese, chocolate and coffee) to engineering and watchmaking, chemicals, pharmaceuticals and services, e.g. the financial sector and market access for maintenance staff.

On the important issue of palm oil, the partners agreed on subquotas for palm oil and its derivatives with customs rebates of 20 to 40%, as discussed between the federal government and the relevant branch, so as not to harm domestic oilseed production.

Palm oil: clear provisions to ensure sustainability

Furthermore, Swiss concerns on safeguarding sustainability were fully taken into account: firstly, the agreement contains provisions pertaining to trade and sustainable development, which are also directly relevant to palm oil production. These include a requirement to comply with and implement multilateral environmental treaties and to respect the basic rights of workers. Furthermore, the agreement contains provisions on promoting the sustainable management of forest resources, in particular by combating illegal logging. Secondly, EFTA has succeeded in securing agreement on a provision specifically on palm oil. That provision contains further reaching obligations to ensure sustainable production and trade in palm oil and other vegetable oils.

Recueil officiel

Date	Measure
06-11-18	Ordinance of the FDF on goods benefiting from customs relief according to their use (Ordinance on Customs Relief, OADou) (RS 631.012)

Date	Measure
	FSVO Order instituting measures against the spread of African swine fever through import, transit and export trade with the Member States of the European Union, Iceland and Norway (RS 916.443.107)
09-11-18	Ordinance of the DFI regulating the import, transit and export of animals and animal products with third countries (OITE-PT-DFI) (RS 916.443.106)
	Customs Ordinance (OD) (RS 631.01)
	Federal Act on the Importation of Processed Agricultural Products (RS 632.111.72)
	Ordinance on Export Contributions for Processed Agricultural Products (Ordinance on Export Contributions) (RS 632.111.723)
	Ordinance on Export Contributions for Processed Agricultural Products (Ordinance on Export Contributions) (RS 32.111.723)
13-11-18	Federal Order on the Approval and Implementation of the WTO Ministerial Decision on Export Competition and Approval of Amendments to the Schedule of Commitments LIX Switzerland-Liechtenstein in the Field of Subsidies for export (RS 910.1)
	Ordinance of the Swiss Institute for Therapeutic Products on the simplified authorization and the procedure for declaration of complementary drugs and phyto-medicines (Ordinance on Complementary Drugs and Phytomedicines, OAMédcophy) (RS 812.212.24)
14-11-18	FSVO Ordinance instituting measures to prevent the introduction of avian influenza present in certain Member States of the European Union (RS 916.443.102.1)
	FSVO Order instituting measures against the spread of African swine fever through import, transit and export trade with the Member States of the European Union, Iceland and Norway (RS 916.443.107)
	Ordinance of the FDF on goods benefiting from customs relief according to their use (Ordinance on Customs Relief, OADou) (RS 631.012)
	AFD Ordinance on Customs (OD-AFD) (RS 631.013)
	Ordinance on Protection against Dangerous Substances and Preparations (Ordinance on Chemicals, ChemO) (RS 813.11)
20-11-18	Ordinance on the placing on the market and use of biocidal products (Ordinance on Biocidal Products, OPBio) (RS 813.12)
	Ordinance on the Reduction of Risks Relating to the Use of Particularly Dangerous Substances, Preparations and Articles (Ordinance on the Reduction of Risks Relating to Chemicals, ORRChem) (RS 814.81)
	Ordinance on the Reduction of Risks Relating to the Use of Particularly Dangerous Substances, Preparations and Articles (Ordinance on the Reduction of Risks Relating to Chemicals, ORRChem) (RS 814.81)
	Ordinance on Organic Agriculture and the Designation of Organic Products and Foods (Ordinance on Organic Agriculture) (RS 910.18)
	Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr) (RS 916.01)
	Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr) (RS 916.01)
27-11-18	Ordinance on Viticulture and Importation of Wine (Ordinance on Wine) (RS 916.140)
	Ordinance on the introduction of plant protection products (Ordinance on plant protection products, OPPh) (RS 916.161)
	Ordinance on the introduction of fertilizers (Ordinance on Fertilizers, OEng) (RS 916.171)
29-11-18	FSVO Ordinance instituting measures to prevent the introduction of avian influenza in certain Member States of the European Union (RS 916.443.102.1)
30-11-18	DFI Ordinance on Schedules of Narcotic Drugs, Psychotropic Substances, Precursors and Chemical Additives (Ordinance on Narcotic Drugs, OTStup-DFI) (RS 812.121.11)
	Ordinance of the DFI regulating the import, transit and export of animals and animal products with third countries (OITE-PT-DFI) (RS 916.443.106)

Date	Restrictive Measure
05-11-18	Amendment to the Ordinance of 7 August 1990 instituting economic measures towards the Republic of Iraq (RS 946.206) [entry into force 02-11-18]
08-11-18	Amendment of 7 November to the Ordinance instituting measures against Burundi (RS 946.231.121.8) [Entry into force 08-11-18]
	Amendment to the Ordinance instituting measures against Guinea (RS 946.231.138.1) [Entry into force 08-11-18]
14-11-18	Amendment to the Ordinance of 7 August 1990 instituting economic measures against the Republic of Iraq (RS 946.206) [Entry into force: 13-11-18]
16-11-18	Amendment to the Ordinance of 28 March 2018 on Measures against Venezuela (RS 946.231.178.5) [Entry into force: 16-11-18]
19-11-18	Amendment to the Ordinance of 30 March 2011 instituting measures against Libya (RS 946.231.149.82) [Entry into force 16-11-18]
20-11-18	Amendment to the Ordinance of 2 October 2000 on Measures against Individuals and Entities Associated with Usama bin Laden, the Group «Al-Qaïda» or the Taliban (RS 946.203) [Entry into force: 19-11-18]

UNITED KINGDOM

UK Foreign Affairs Committee launches an inquiry into the future of UK sanctions policy

The UK Foreign Affairs Committee has launched the "*Global Britain: the future of UK sanctions policy inquiry*" and is accepting written submissions up to the deadline of 14 December 2018. The inquiry is intended to explore and evaluate different options for the UK's approach to sanctions policy after Brexit.

The inquiry therefore invites submissions on:

- The effectiveness of sanctions as an instrument of foreign policy, including examples of both successful and unsuccessful use of sanctions to influence the behaviour of foreign actors.
- The advantages and disadvantages of the EU's approach to the use of sanctions, both generally and in specific cases (such as Russia).
- How the USA sets and uses sanctions as an instrument of foreign policy, and the advantages and disadvantages of its approach particularly where that differs from the EU.
- How the UK might best make use of the Magnitsky powers included in the Sanctions and Anti-Money Laundering Act 2018.
- The extent to which the UK should seek to align with the EU in sanctions policy post-Brexit, versus areas in which it may wish to diverge or seek stronger sanctions.
- The FCO's record in:
 - Identifying individuals, companies and regimes that should be sanctioned;
 - Linking specific sanctions recommendations to broader foreign policy goals; and,
 - Working with other departments, agencies and the private sector to share intelligence and implement sanctions effectively.
- The use of sanctions alongside other tools designed to combat dirty money, such as unexplained wealth orders.

For additional information, please contact the author, [Ross L. Denton](#).

Legislation (*legislation.gov.uk*)

Date	Measure
02-11-18	SI 2018/1121 - The Department for Transport (Fees) (Amendment) (EU Exit) Regulations 2018
05-11-18	SI 2018/1136 - The Plant Health (England) (Amendment) (No. 5) Order 2018 SR 2018/186 - The Materials and Articles in Contact with Food (Amendment) Regulations (Northern Ireland) 2018
07-11-18	SI 2018/1149 - The EEA Passport Rights (Amendment, etc., and Transitional Provisions) (EU Exit) Regulations 2018 SI 2018/1147 - The Communication of Investments (Revocation) (EU Exit) Regulations 2018
09-11-18	SI 2018/1152 - The Zootechnical Standards (Wales) Regulations 2018 / Rheoliadau Safonau Sootechnegol (Cymru) 2018
16-11-18	SI 2018/1186 - The Export of Objects of Cultural Interest (Control) (Amendment etc.) (EU Exit) Regulations 2018 SI 2018/1188 - The Beef and Veal Labelling (Wales) (Amendment) Regulations 2018 / Rheoliadau Labelu Cig Eidion a Chig Llo (Cymru) (Diwygio) 2018
20-11-18	SI 2018/1201 - The Electronic Money, Payment Services and Payment Systems (Amendment and Transitional Provisions) (EU Exit) Regulations 2018
21-11-18	SI 2018/1213 - The Sanctions and Anti-Money Laundering Act 2018 (Commencement No. 1) Regulations 2018 SR 2018/191 - The Beef and Veal Labelling (Amendment) Regulations (Northern Ireland) 2018
22-11-18	SI 2018/1205 - The Climate Change Agreements (Amendment of Agreements) (EU Exit) Regulations 2018 SI 2018/1211 - The Law Derived from the European Union (Wales) Act 2018 (Repeal) Regulations 2018 / Rheoliadau Deddf Cyfraith sy'n Deillio o'r Undeb Ewropeaidd (Cymru) 2018 (Diddymu) 2018
23-11-18	SI 2018/1204 - The International Road Transport Permits (EU Exit) Regulations 2018
26-11-18	SI 2018/1214 - The Waste Electrical and Electronic Equipment (Amendment) (No. 2) Regulations 2018
27-11-18	SI 2018/1241 - The Official Controls (Animals, Feed and Food) (England) (Amendment) (EU Exit) Regulations 2018 SI 2018/1238 - The Livestock (Records, Identification and Movement) (England) (Amendment) (EU Exit) Regulations 2018 SI 2018/1228 - The Value Added Tax (Disclosure of Information Relating to VAT Registration) (EU Exit) Regulations 2018
28-11-18	SI 2018/1243 - The Open Internet Access (Amendment etc.) (EU Exit) Regulations 2018 SI 2018/1221 - The Merchant Shipping (Miscellaneous Provisions) (Amendments etc.) (EU Exit) Regulations 2018
29-11-18	SI 2018/1242 - The European Union (Withdrawal) Act 2018 (Consequential Amendments) Regulations 2018
30-11-18	SI 2018/1269 - The Sanctions Review Procedure (EU Exit) Regulations 2018 SI 2018/1260 - The Customs (Contravention of a Relevant Rule) (Amendment) (EU Exit) Regulations 2018 SI 2018/1258 - The Customs Transit Procedures (EU Exit) Regulations 2018 SI 2018/1249 - The Customs (Special Procedures and Outward Processing) (EU Exit) Regulations 2018 SI 2018/1248 - The Customs (Import Duty) (EU Exit) Regulations 2018 SI 2018/1247 - The Customs (Temporary Storage Facilities Approval Conditions and Miscellaneous Amendments) (EU Exit) Regulations 2018

HMRC updates

The following Public Notices, [Customs Information Papers](#) (CIPs) were issued by HM Revenue & Customs:

Release Date	Ref. No. and Subject
Tariff, Anti-Dumping and Other Notices	
01-11-18	Tobacco Duty on heated tobacco
05-11-18	New and retreaded tyres for buses and lorries, originating in China (Anti-Dumping Duty 2301)
	Contact lists of providers who support Customs Freight Simplified Procedures
12-11-18	Notice 34: intellectual property rights
	Stainless steel wires originating in India (Anti-Dumping Duty 2302)
	New and retreaded tyres for buses and lorries, originating in China (Anti-Dumping Duty 2301)
	Lever arch mechanisms originating in the People's Republic of China (Anti-Dumping Duty 2303)
	Retreaded tyres originating in the People's Republic of China (Anti-Dumping Duty 2304)
13-11-18	Notice 8: sailing your pleasure craft to and from the UK
	Apply for release of a private vessel on payment of customs duty and VAT (C384 (Vessels))
14-11-18	Open mesh fabrics of glass fibres, for particular producers in India (Anti-Dumping Duty 2305)
21-11-18	2017 UK VAT-registered importer and exporter population (final)
26-11-18	Imports of ammonium nitrate, originating in Russia (Anti-Dumping Duty 2306)
	Community, Common Transit and TIR: newsletters
27-11-18	Air transport costs to be included in the customs value
30-11-18	Imports of citric acid, originating in the People's Republic of China (Anti-Dumping Duty 2307)
	Draft notices to be made under The Customs (Import Duty) (EU Exit) Regulations 2018
	Draft notices to be made under The Customs (Special Procedures and Outward Processing) (EU Exit) Regulations 2018
	Draft public notices to be made under The Taxation (Cross-border Trade) Act 2018
	Draft notices to be made under The Customs Transit Procedure (EU Exit) Regulations 2018
BREXIT SPECIFIC	
22-11-18	Partnership pack: preparing for changes at the UK border after a 'no deal' EU exit
Updated 15-11-18	Customs, excise, VAT and regulatory changes you need to know about if there is no deal
	Preparing for a 'no deal' EU Exit - step-by-step guide to importing (Chart)
	Preparing for a 'no deal' EU Exit: step-by-step guide to importing (Guide)
	Preparing for a 'no deal' EU Exit - step-by-step guide to exporting
	Preparing for a 'no deal' EU Exit: step-by-step guide to exporting
	Travellers to the EU with a UK passport - what to expect on day one of a 'no deal' scenario
	Individuals travelling with pets - what to expect on day one of a 'no deal' scenario
	Traders importing from the EU only - what to expect on day one of a 'no deal' scenario
	Traders exporting to the EU only - what to expect on day one of a 'no deal' scenario
	Traders with the EU and the rest of the world - what to expect on day one of a 'no deal' scenario
	Traders with the rest of the world only - what to expect on day one of a 'no deal' scenario
	Businesses supplying services to the EU - what to expect on day one of a 'no deal' scenario
	Express courier industry and postal services - what to expect on day one of a 'no deal' scenario
	Tour operators - what to expect on day one of a 'no deal' scenario

Release Date	Ref. No. and Subject
	Haulage companies operating between the UK and the EU - what to expect on day one of a 'no deal' scenario
	Ferry or Channel Tunnel operators moving goods between the UK and the EU - what to expect on day one of a 'no deal' scenario
	Freight forwarders - what to expect on day one of a 'no deal' scenario
	Customs agents - what to expect on day one of a 'no deal' scenario
	Ports and airports - what to expect on day one of a 'no deal' scenario
	Customs warehouses - what to expect on day one of a 'no deal' scenario
	Traders importing live animals, animal products and high-risk food and feed from the EU and the rest of the world - what to expect on day one of a 'no deal' scenario
	Traders exporting live animals, animal products and high-risk food and feed to the EU and the rest of the world - what to expect on day one of a 'no deal' scenario
	Businesses and individuals moving horses and other equines between the UK and the EU - what to expect on day one of a 'no deal' scenario
	Businesses and individuals moving endangered species between the UK and the EU - what to expect on day one of a 'no deal' scenario
	Traders importing plants and plant products from the EU - what to expect on day one of a 'no deal' scenario
	Traders exporting plants and plant products to the EU - what to expect on day one of a 'no deal' scenario
	Businesses buying and selling timber or timber products in the EU - what to expect on day one of a 'no deal' scenario
	Businesses selling duty-suspended alcohol, tobacco or fuel in the UK - what to expect on day one of a 'no deal' scenario
	Businesses trading in rough diamonds - what to expect on day one of a 'no deal' scenario
	Businesses and individuals exporting controlled goods - what to expect on day one of a 'no deal' scenario
	Businesses trading in civil explosives - what to expect on day one of a 'no deal' scenario
	Businesses supplying medicines and medical devices - what to expect on day one of a 'no deal' scenario
	UK licensed establishments working with organs, tissues and cells - what to expect on day one of a 'no deal' scenario
	Traders in drug precursor chemicals - what to expect on day one of a 'no deal' scenario
	Businesses producing and exporting chemicals from outside the European Economic Area (EEA) - what to expect on day one of a 'no deal' scenario
	Businesses trading in fluorinated gases and ozone depleting substances - what to expect on day one of a 'no deal' scenario
	Businesses shipping waste into and out of the EU - what to expect on day one of a 'no deal' scenario

OTHER EU-EFTA COUNTRIES

Import-export related measures

The following import, export or antibribery measures were published in the on-line editions of the official gazettes of the countries shown during the period covered by this Update. [This is a partial listing, unofficial translations.] *The date shown may be the signature date, release date or publication date, depending on local practice.

Date*	Measure
ICELAND	
08-11-18	№ 982/2018 (25-10-18) Regulation on the entry into force of the European Union Regulation on the Elimination of Technical Barriers to Trade in Wine (IX)
16-11-18	№ 1008/2018 (01-11-18) Regulation amending Regulation No. 944/2014, on the safety of toys and their marketing in the European Economic Area.
21-11-18	№ 1012/2018 (19-11-18) Regulation amendment of Regulation no. 560/2010 on imports of deep-frozen pork seeds.
22-11-18	№ 1015/2018 (08-11-18) Regulation amendment of Regulation no. 834/2014 on foods intended for infants and young children, foods used for special medical purposes and weight management foods in place of all other foods
	№ 1016/2018 (08-11-18) Regulation amendment of Regulation 969/2011 on the entry into force of Commission Regulation (EC) No. 911/2004 implementing Council Regulation (EC) No. 1760/2000 as regards eartags, passports and geo-thermal books.
	№ 1017/2018 (08-11-18) Regulation amendment of Regulation no. 735/2017 on novel foods
	№ 1018/2018 (08-11-18) Regulation amendment of Regulation no. 187/2015 on flavorings and certain food ingredients which have flavoring properties for use in and on foods.
	№ 1019/2018 (08-11-18) Regulation amendment of Regulation no. 374/2012 of the entry into force of Commission Regulation (EU) No. 10/2011 on materials and articles made of plastics intended to come into contact with foodstuffs.
	№ 1020/2018 (08-11-18) Regulation on the entry into force of Commission Regulation (EU) 2018/199 on the refusal of a health claim for foodstuffs, neither refers to the reduction of disease risk nor to the development or health of children.
	№ 1021/2018 (08-11-18) Regulation concerning the entry into force of Commission Implementing Regulation (EU) 2018/307 on the extension of special guarantees for Salmonella spp., laid down in Regulation (EC) No 2096/2004 of the European Parliament and of the Council. 853/2004 to cover meat of porcine species (<i>Gallus gallus</i>) which is to be transported to Denmark
	№ 1022/2018 (08-11-18) Regulation amendment of Regulation no. 397/2013 on the entry into force of Commission Regulation (EU) No. 231/2012 on the detailed definitions of additives in foodstuffs specified in Annex II. and III. Annex to Regulation (EC) No 2096/2004 of the European Parliament and of the Council. 1333/2008
	№ 1023/2018 (08-11-18) Regulation about (21) amendment of Regulation no. 978/2011 on the entry into force of Regulation (EC) No. 1333/2008 on food additives
	№ 1025/2018 (22-11-18) Regulation on the allocation of tariff quotas for imports of flowers, trees, etc.
	№ 1026/2018 (22-11-18) Regulation on the allocation of tariff quotas for imports of cheese from Norway.
	№ 1028/2018 (09-11-18) Regulation amendment of Regulation no. 893/2004 on the manufacture of medicinal products
23-11-18	№ 1029/2018 (09-11-18) Regulation amendment of Regulation no. 545/2018 on the marketing authorization for proprietary medicinal products, their labeling and package leaflet
26-11-18	№ 1043/2018 (08-11-18) Regulation amendment to Regulation no. 577/2013 on cosmetics
27-11-18	№ 1045/2018 (26-11-18) Regulation on the allocation of tariff quotas for imports of agricultural products from the countries of the European Union
29-11-18	№ 117 Law (27-11-18) amending the Act on Excise Tax on Vehicles, Fuel, etc., the Auto Tax Act and the Value Added Tax Act (emission criteria, shipping, goods and golf cars)
	№ 1061/2018 (15-11-18) Regulation about electrical and electronic waste
	№ 1064/2018 (15-11-18) Regulation amendment of Regulation no. 609/1996, on the treatment of packaging and packaging waste.
	№ 1066/2018 (21-11-18) Regulation amendment of Regulation no. 577/2013 on cosmetics.

Date*	Measure
	№ 1067/2018 (21-11-18) Regulation amendment of Regulation no. 878/2014 on biocidal products.
30-11-18	№ 1073/2018 (22-11-18) Regulation amendment of Regulation no. 481/2017 on the entry into force of Commission Regulation (EC) No. 1235/2008 laying down detailed rules for the implementation of Council Regulation (EC) No. 834/2007 as regards arrangements for imports of organic products from third countries.
	№ 1075/2018 (22-11-18) Regulation amendment of Regulation no. 160/2012 on extraction for use in the manufacture of food and food ingredients.
	№ 1076/2018 Regulation amendment of Regulation no. 560/2014 on the entry into force of Commission Regulation (EC) No. 798/2008 on lists of third countries, territories, territories or compartments authorized for import into the Community and Community transit of poultry and poultry products and requirements for veterinary certificates for animals and animal products
	№ 1077/2018 (22-11-18) Regulation on the entry into force of Commission Implementing Regulation (EU) 2018/1660 laying down special conditions for imports of certain non-animal foodstuffs from certain third countries on the risk of pesticide pollution, amending Regulation (EC) No. 669/2009 and repealing Implementing Regulation (EU) No. 885/2014.
	№ 1078/2018 (22-11-18) Regulation amendment to Regulation no. 835/2010 on the entry into force of Commission Regulation (EC) No. 669/2009 implementing the Regulation of the European Parliament and of the Council (EC) No. 882/2004 as regards increased official controls on imports of certain feed and non-animal feedstuffs
IRELAND (EIRE)	
16-11-18	S.I. No. 453 of 2018 - European Communities (Seed of Fodder Plants) (Amendment) Regulations 2018
	S.I. No. 454 of 2018 European Union (Cereal Seed) (Amendment) Regulations 2018
	S.I. No. 457 of 2018 Control of exports (Appeals) regulations 2018
23-11-18	S.I. No. 477 of 2018 European Union (Consumer Information on Fuel Economy and CO2 Emissions of New Passenger Cars) (Amendment) Regulations 2018
30-11-18	S.I. No. 504 of 2018 European Union (Manufacture, Presentation and Sale of Tobacco and Related Products) (Amendment) (No. 3) Regulations 2018
LIECHTENSTEIN	
16-11-18	LGBI № 2018.227 Announcement of 13 November 2018 of the Swiss legislation applicable pursuant to the customs agreement in the Principality of Liechtenstein (Annexes I and II) (LR № 170.551.631)
LUXEMBOURG	
31-10-18	Mem A 999: Grand-Ducal Regulation of 12 October 2018 amending the Grand-Ducal Regulation of 30 May 2018 concerning the detailed rules of application: 1 ° of Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and concerning the labeling of beef and beef products and repealing Council Regulation (EC) No 820/97 as amended; and 2 ° of Commission Regulation (EC) No 911/2004 of 29 April 2004 implementing Implementing Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards eartags, passports and logbooks, as amended.
06-11-18	Mem A 1003: Implementation of new European non-electric standards applicable in the Grand Duchy of Luxembourg.
	Mem A 1004: Implementation of new European standards in the electrotechnical field applicable to the Grand Duchy of Luxembourg.
	Mem A 1005: Implementation of new European telecommunications standards applicable in the Grand Duchy of Luxembourg
13-11-18	Mem A 1040: Benelux Convention on Transfrontier and Interterritorial Co-operation, done at The Hague on 20 February 2014 - Entry into force between the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.
15-11-18	Mem A 1042: Grand-Ducal Regulation of 9 November 2018 amending Annex III of the amended Grand-Ducal Regulation of 30 July 2013 on the restriction of the use of certain hazardous substances in electrical and electronic equipment.

Date*	Measure
	Mem A 1043: Implementation of new European non-electric standards applicable in the Grand Duchy of Luxembourg.
	Mem A 1044: Implementation of new European standards in the electrotechnical field applicable to the Grand Duchy of Luxembourg.
	Mem A 1045: Implementation of new European telecommunications standards applicable in the Grand Duchy of Luxembourg.
20-11-18	Mem A 1050: Ministerial Regulation of 16 November 2018 amending the Ministerial Regulation of 9 July 2009 establishing the Committee for the Prevention of Laundering and the Financing of Terrorism.
22-11-18	Mem A 1056: Luxembourg Bar - Regulation of 12 September 2018 on the fight against money laundering and the financing of terrorism.
30-11-18	Mem A 1082: Convention on Centralized Customs Clearance, concerning the allocation of the national collection costs which are retained when the traditional own resources are made available to the EU budget, signed in Brussels on 10 March 2009 - Entry into force and list of related states.
MALTA	
06-11-18	LN 359 of 2018 – Safety of Toys (Amendment) Regulations, 2018 Government Gazette Of Malta No. 20,083– 06.11.2018
	LN 367 of 2018 – Community Measures for the Control of Newcastle Disease Regulations, 2018 - Government Gazette Of Malta No. 20,083– 06.11.2018
09-11-18	LN 373 of 2018 – Extraction Solvents for Foodstuffs (Amendment) Regulations, 2018 Government Gazette Of Malta No. 20,085– 09.11.2018
23-11-18	LN 389 of 2018 – Dangerous Drugs Ordinance (Amendment of First Schedule) (No. 3) Order, 2018 Government Gazette Of Malta No. 20,093– 23.11.2018
	LN 392 of 2018 – Firearms and Ammunition (Movement in Member States and Other Matters) (Amendment) Regulations, 2018 Government Gazette Of Malta No. 20,093– 23.11.2018
	LN 393 of 2018 – Arms Act (Amendment of Schedules I, II and III) Regulations, 2018 Government Gazette Of Malta No. 20,093– 23.11.2018
NORWAY	
02-11-18	FOR-2018-11-01-1643 MINISTRY OF HEALTH AND CARE SERVICES Regulations amending the regulation of which third countries it may import mussels and fishery products
12-11-18	FOR-2018-11-11-1677 MINISTRY OF AGRICULTURE AND FOOD Regulations amending the regulation on imports and transit of poultry and certain poultry products from third countries
19-11-18	FOR-2018-11-16-1709 MINISTRY OF HEALTH AND CARE SERVICES, MINISTRY OF FOOD AND FISHERIES Regulations amending the regulation of which third countries it may import mussels and fishery products
22-11-18	FOR-2018-11-22-1733 JUSTICE AND EMERGENCY AFFAIRS DEPARTMENT Regulations concerning change in regulations on land transport of dangerous goods
28-11-18	FOR-2018-11-22-1765 MINISTRY OF HEALTH AND CARE SERVICES Regulation amending Regulation (EC) No 273/2004 (as amended by Regulation (EU) No 1258/2013) and Regulation (EC) No 1277/2005 on drug precursors
	FOR-2018-11-27-1769 MINISTRY OF AGRICULTURE AND FOOD Regulations amending the regulation on conversion factors for raw materials for food and feed production in the determination of customs duties and price equalization
29-11-18	FOR-2018-11-19-1773 MINISTRY OF FOOD AND FISHERIES, MINISTRY OF AGRICULTURE AND FOOD, MINISTRY OF HEALTH AND CARE SERVICES Regulations amending the regulation on special protection measures for imports of certain foodstuffs from third countries due to pesticide risk, etc.
	FOR-2018-11-28-1780 MINISTRY OF AGRICULTURE AND FOOD Delegation of authority by regulation June 16, 2012 No. 622 on the classification, labeling and packaging of substances and preparations (CLP Regulation) to the Norwegian Food Safety Authority
POLAND	
05-11-18	№ 2093 Regulation of the Minister of Finance of October 15, 2018 amending the ordinance on customs and tax offices and subordinated customs offices in which

Date*	Measure
	operations are carried out under customs legislation depending on the type of goods or customs procedures by which goods can be covered
06-11-18	№ 2105 Announcement of the Minister of Agriculture and Rural Development of October 10, 2018 regarding the publication of a uniform text of the regulation of the Minister of Agriculture and Rural Development on the detailed method of labeling, sealing and packaging of nursery material and vine seedlings
13-11-18	№ 2136 Act of 4 October 2018 on the amendment of the act on animal products and the law on food and nutrition safety
20-11-18	№ 2162 Announcement of the Speaker of the Sejm of the Republic of Poland of October 25, 2018 regarding the publication of a uniform text of the Act on the participation of the Republic of Poland in the Schengen Information System and the Visa Information System
	№ 2164 Announcement of the Speaker of the Sejm of the Republic of Poland of October 25, 2018 regarding the publication of a uniform text of the Act on the commercial quality of agri-food products
	№ 2171 Regulation of the Council of Ministers of October 18, 2018 amending the ordinance regarding the Kostrzyn-Słubice special economic zone
27-11-18	№ 2205 Announcement of the Prime Minister of November 5, 2018 regarding the publication of a uniform text of the regulation of the Council of Ministers regarding the Kamienna Góra special economic zone
29-11-18	№ 2227 Act of 4 October 2018 on cosmetic products
	№ 2228 Announcement of the Prime Minister of November 5, 2018 regarding the publication of a uniform text of the ordinance of the Council of Ministers regarding the Warmian-Masurian Special Economic Zone
30-11-18	№ 2231 Announcement of the Speaker of the Sejm of the Republic of Poland of November 9, 2018 regarding the publication of a uniform text of the Act on Bio-cidal Products
SPAIN	
06-11-18	Law 8/2018, of November 5, which modifies Law 19/1994, of July 6, amending the Canary Islands Economic and Fiscal Regime. (BOE-A-2018-15139)
07-11-18	Protocol to the Framework Agreement between the European Union and its Member States, on the one hand, and the Republic of Korea, on the other, to take into account the accession of the Republic of Croatia to the European Union, made in Brussels on June 21, 2017 (BOE-A-2018-15234)
	DEVELOPMENT: Resolution of October 15, 2018, of the Undersecretariat, approving the Services Charter of the Border Inspection Post of the Port of Algeciras 2018-2020. (BOE-A-2018-15272)
16-11-18	HEAD OF STATE: Corrigendum to the Ratification Instrument of the Stabilization and Association Agreement between the European Communities and their Member States, on the one hand, and Bosnia and Herzegovina, on the other, made in Luxembourg on 16 June 2008. (BOE-A-2018-15610)
	INDUSTRY, TRADE AND TOURISM (ITT): Resolution of November 12, 2018, of the General Directorate of Industry and of the Small and Medium-Sized Company, by which the UNE standard projects that the Spanish Standardization Association has in process, corresponding to the month of October, are submitted to public information. of 2018. (BOE-A-2018-15676)
	ITT: Resolution of November 12, 2018, of the General Directorate of Industry and of the Small and Medium-Sized Companies, whereby the European and international standards projects that have been processed as UNE standard projects by the Spanish Association are submitted to public information. of Normalization, corresponding to the month of October 2018. (BOE-A-2018-15677)
19-11-18	PRESIDENCY: Royal Decree 1364/2018, of November 2, which modifies Royal Decree 219/2013, of March 22, on restrictions on the use of certain hazardous substances in electrical and electronic equipment. (BOE-A-2018-15733)
20-11-18	ITT: Order ICT / 1212/2018, of November 12, by which the annexes II, III, IV, V, VI, VII, VIII, IX, X, XI and XII of Royal Decree 750/2010, of 4 of June, which regulates the procedures for homologation of motor vehicles and their trailers, propelled or towed machines, agricultural vehicles, as well as systems, parts and pieces of said vehicles. (BOE-A-2018-15796)

Date*	Measure
23-11-18	Resolution of November 15, 2018, of the Congress of Deputies, ordering the publication of the Convalidation Agreement of Royal Decree-law 16/2018, of October 26, by which certain measures are adopted to combat the illicit traffic of persons and goods in relation to the vessels used. (BOE-A-2018-15962)
	ITT: Resolution of November 12, 2018, of the General Directorate of Industry and of Small and Medium-Sized Enterprises, publishing the list of European standards that have been ratified during the month of October 2018 as Spanish standards. (BOE-A-2018-16018)
	ITT: Resolution of November 12, 2018, of the General Directorate of Industry and of the Small and Medium-Sized Company, publishing the list of UNE regulations annulled during the month of October 2018. (BOE-A-2018-16019)
	ITT: Resolution of November 12, 2018, of the General Directorate of Industry and of Small and Medium-Sized Enterprises, publishing the list of UNE standards approved by the Spanish Association for Standardization, during the month of October 2018. (BOE-A-2018-16020)

Restrictive measures established, amended, corrected

The following restrictive measures (grouped by country) were established, amended or corrected and published in the national official journals or agency websites during the period covered by this Update. [This is a partial listing, unofficial translations.] *The date shown may be the signature date, release date or publication date, depending on local practice.

Date*	Restrictive Measure
IRELAND (EIRE)	
16-11-18	S.I. No. 458 of 2018 European Union (Restrictive Measures concerning the Democratic Republic of the Congo) Regulations 2018
	S.I. No. 459 of 2018 European Union (Restrictive Measures concerning Central African Republic) (No. 2) Regulations 2018
	S.I. No. 460 of 2018 European Union (Restrictive Measures concerning the Democratic People's Republic of Korea) (No. 3) Regulations 2018
	S.I. No. 461 of 2018 European Union (Restrictive Measures concerning Iran) Regulations 2018
	S.I. No. 462 of 2018 European Union (Restrictive Measures concerning Iran) (No. 2) Regulations 2018
	S.I. No. 463 of 2018 European Union (Restrictive Measures concerning Syria) (No. 2) Regulations 2018
	S.I. No. 464 of 2018 Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities Associated with the ISIL (Da'esh) and Al-Qaida Organisations) (No. 6) Regulations 2018
	S.I. No. 465 of 2018 European Union (Restrictive Measures concerning Libya) (No. 6) Regulations 2018
	S.I. No. 466 of 2018 European Union (Restrictive Measures concerning Ukraine) Regulations (No. 4) 2018
	S.I. No. 467 of 2018 European Union (Restrictive Measures concerning Iraq) Regulations (No. 4) 2018
	S.I. No. 468 of 2018 European Union (Restrictive Measures concerning ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them) (No. 3) Regulations 2018
LIECHTENSTEIN	
02-11-18	LGBI № 2018.218 Ordinance of 30 October 2018 on measures against Myanmar (LR № 946.222.3)
08-11-18	LGBI № 2018.222 Order of 6 November 2018 amending the Regulation on measures against Burundi (LR № 956.224.5)
	LGBI № 2018.223 Ordinance of 6 November 2018 amending the Regulation on measures against Guinea (LR № 946.223.4)

Date*	Restrictive Measure
16-11-18	LGBI № 2018.232 Regulation of 13 November 2018 amending the Regulation on Measures against Venezuela (LR № 946.224.7)
LUXEMBOURG	
20-11-18	Mem A 1049: Ministerial Regulation of 20 November 2018 amending Annex IC of the Grand-Ducal Regulation of 29 October 2010 implementing the Act of 27 October 2010 on the implementation of United Nations Security Council Resolutions and Acts adopted by the European Union containing prohibitions and financial restrictive measures against certain persons, entities and groups in the fight against the financing of terrorism.
NORWAY	
29-11-18	FOR-2018-11-22-1777 Ministry of Foreign Affairs Regulations repealing regulations on sanctions against Eritrea

TURKEY

Legislation (laws, resolutions, orders, etc.)

The following documents were published in the on-line [T.C. Resmî Gazete](#).

Date	Subject
03-11-18	Decision on the Approval of Annexes Amended on 12 October 2017 with regard to Annexes 6, 8 and 9 of the Customs Convention for the Transport of International Goods under the auspices of the TIR Carnets (Number of Decisions: 308)
	Gümrük Communiqué Amending the Customs General Communiqué (Customs Control) (Serial No: 3) (Serial No: 7)
	Communiqué on the Amendment to the Customs General Communiqué (Customs Procedures) (Serial No: 94) (Customs Procedures) (Serial No: 152)
15-11-18	Communiqué amending the Communiqué on the Implementation of Supervision on Importation (Communiqué No: 2016/4)
17-11-18	Communiqué Amending the Communiqué on the Implementation of Tariff Quotas in the Importation of Some European Union Agricultural Products
23-11-18	Resolution on the Abrogation of the Decision on the Implementation of Tariff Quotas for the Import of Some Agricultural and Processed Agricultural Products Originated from the Hashemite Kingdom of Jordan (Decision Number: 354)
27-11-18	Addendum to the Resolution of the Council of Ministers dated 30/9/2013 and numbered 2013/5428 on the Freezing of the Assets of the Persons, Organizations or Organizations Listed by the Decisions of the United Nations Security Council (1267 (1999), 1988 (2011) and 1989 (2011) (1)) Decision on Amendment to the List (Number of Decisions: 376)
	General Communiqué of Customs (release for free circulation) (Serial No. 13) in the Communiqué Amending the (release for free circulation) (Serial No: 15)
	General Customs Paper (Customs Procedures) (Serial No. 90) in the Communiqué Amending (Customs Procedures) (Serial No. 153)
	General Communiqué of Customs (Customs Procedures) (Serial No: 102) Amending the Communiqué (Customs Procedures) (Serial No: 154)
	General Communiqué of Customs (Customs Procedures) (Serial No. 103) in the Communiqué Amending the (Customs Procedures) (Serial No. 155)
	General Communiqué of Customs (Customs Procedures) (Serial No. 105) in the Communiqué Amending the (Customs Procedures) (Serial No. 156)
28-11-18	General Communiqué on Liquidation (Transactions for Transportation of Illegal Goods and Illegal Goods) (Serial No: 1)

UKRAINE

Ukraine introduces Martial Law in certain regions

Ukraine introduced martial law ending on 26 December 2018 in 10 regions of Ukraine bordering the Russian Federation, Belarus and Moldova's Trans-Dniester area (Vinnytsia, Luhansk, Mykolaiv, Odesa, Sumy, Kharkiv, Chernihiv, Donetsk, Zaporizhia and Kherson regions), and in the internal waters of Ukraine in the Azov-Kerch water area.



What Does Martial Law Mean?

During the period of the martial law, the military command authorities either independently or with involvement of local administrations or military administrations (if established) are authorized to introduce measures restricting

certain rights and freedoms of individuals and companies, including, *inter alia*:

- use of companies' productive facilities for defense purposes;
- forced disposal of companies' assets in the interests of the state;
- special regime of manufacturing and supply of medicines containing narcotic, psychotropic substances and precursors;
- replacement of management of particular companies that fail to comply with the martial law;
- ban on sale of chemical and poisonous substances, alcohol and weapons;
- labor duty for individuals for defense/social work purposes;
- partial mobilization;
- regulation of operation of companies engaged in telecommunication, printing industry and radiobroadcasting;
- seizure of radioactive substances and materials, highly potent chemical and poisonous substances from the companies;
- inspections of vehicles, cargos, offices as well as personal belongings and private residences;
- restriction of free movement for individuals and vehicles; and
- prohibition on public meetings and demonstrations.

As of 30 November 2018 none of the above listed restrictive measures (except for limited restrictions on the movement of individuals) have been introduced.

Immediate Steps for Business

The martial law does not have an immediate effect on the ordinary course of

business of most of the companies operating in Ukraine or foreign companies doing business in Ukraine or with Ukrainian counterparties. However, such companies should:

1. **Review agreements, contracts and other transactional documentation** to understand the immediate and potential impact of the martial law on their respective transactions (M&A, financing, capital markets, investment or trade), in particular whether the introduction of martial law or further imposition of the above specified restrictive measures may:
 - trigger event of default, force-majeure, suspension or termination provisions
 - require special notification or disclosure; and/or
 - hinder timely performance and require changes to the relevant transactional documentation;
2. **Consider potential effect on and changes required to trade logistics** in case the restrictions on free movement of vehicles, individuals, goods or cargo and/or special entry/exit regime are introduced in the relevant regions;
3. **Develop internal policies and provide clear guidance to the local management and employees on the actions to be taken and the rights and duties of the company and its management and employees** upon the introduction of restrictive measures affecting the company's business and operations (in particular, concerning the issues of compulsory use of production facilities for defense purposes, replacement of management, sale of assets or mobilization);
4. **Monitor decisions/orders of the local military command authorities;** and
5. **Monitor developments with respect to sanctions and trade restrictions**, which may be introduced by the National Security and Defense Council of Ukraine and the Ministry of Economic Development and Trade of Ukraine in connection or in parallel with the martial law regime.

Baker McKenzie's Kyiv Office has established a working group ready to advise clients on various aspects of the martial law. Please contact the group's coordinator, [Hanna Shtepa](#), or other experts [Serhiy Chorny](#), [Olha Demaniuk](#), or [Ganna Smyrnova](#), whenever a need arises.

Legislation (laws, resolutions, orders, etc.)

The following Ukrainian Laws (*Закон України*), Resolutions (*Постанова*), Presidential Decrees (*Указ Президента*), Decrees of the Cabinet of Ministers (*Розпорядження Кабінету Міністрів України*), Regulations (*Положення*), Agency Orders (*Наказ*) and other pieces of legislation were posted on the [Parliamentary \(Верховної Ради\) website](#) during the period of coverage of this Update:

Date	Subject
01-11-18	The decision of the Grand Chamber of the Constitutional Court of Ukraine on the form of consideration of the case on the constitutional petition of the Verkhovna Rada of Ukraine on the conclusion of the compliance with the draft law on amendments to the Constitution of Ukraine (regarding the strategic course of the state on acquiring full-fledged membership of Ukraine in the European Union and the North Atlantic Treaty Organization) (Reg. No. 9037) to the requirements of Articles 157 and 158 of the Constitution of Ukraine Decision of the Constitutional Court of Ukraine dated November 1, 2018 No. 66-u / 2018
02-11-18	On the delegation of Ukraine to the XXIII session of the Conference of the States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

Date	Subject
	and the Fourth Special Session of the Conference of the States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction in view of the Convention Decree of the President of Ukraine; Composition of the collegial body dated 02.11.2018 № 355/2018
07-11-18	On Approval of the Procedure for Using the Funds Envisaged in the State Budget to Support the Development of Electronic Governance in the Field of Export Control Resolution of the Cabinet of Ministers of Ukraine; Order from 07.11.2018 № 943
08-11-18	On Amendments to the Customs Code of Ukraine and some other legislative acts of Ukraine regarding the importation of vehicles into the customs territory of Ukraine Law of Ukraine dated November 8, 2018 No. 2612-VIII
14-11-18	On Amendments to the Procedure for Granting the Permit for Importing Unregistered Pesticides and Agrochemicals to the Customs Territory of Ukraine Used for State Testing and Scientific Research, as well as Seed (Planting) Materials Processed by them Resolution of the Cabinet of Ministers of Ukraine dated November 14, 2018 No. 958
	On the introduction of proposals for the application of personal special economic and other restrictive measures in accordance with the resolutions of the Security Council dated March 2, 2016, No. 2270, dated November 30, 2016, No. 2321, dated June 2, 2017, No. 2356, dated August 5, 2017 No. 2371 of 11 September 2017 No. 2375 and Dec. 22, 2017 No. 2397 concerning the Democratic People's Republic of Korea Order of the Cabinet of Ministers of Ukraine; List from November 14, 2018 No. 854-p
	On the introduction of proposals for the application of sectoral special economic and other restrictive measures in accordance with the resolutions of the Security Council of the United Nations of March 2, 2016, No. 2270, dated November 30, 2016, No. 2321, dated June 2, 2017, No. 2356, dated August 5, 2017 No. 2371 of 11 September 2017 No. 2375 and Dec. 22, 2017 No. 2397 concerning the Democratic People's Republic of Korea Order of the Cabinet of Ministers of Ukraine; The list from November 14, 2018 № 855-p
26-11-18	On the decision of the Council of National Security and Defense of Ukraine dated November 26, 2018 "On Emergency Measures to Ensure the State Sovereignty and Independence of Ukraine and the Introduction of the Military Status in Ukraine" Decree of the President of Ukraine dated November 26, 2018 No. 390/2018
	Regarding extraordinary measures to ensure the state sovereignty and independence of Ukraine and the introduction of a martial law in Ukraine NSDC ; The decision of 11/26/2018
	On the decision of the Council of National Security and Defense of Ukraine dated November 26, 2018 "On Amendments to the Decision of the National Security and Defense Council of Ukraine of November 26, 2018" Concerning Emergency Measures to Ensure the State Sovereignty and Independence of Ukraine and the Introduction of the Military Status in Ukraine " Decree of the President of Ukraine dated November 26, 2018 № 392/2018
	On Amendments to the Decision of the National Security and Defense Council of Ukraine dated November 26, 2018 "On Emergency Measures to Ensure the State Sovereignty and Independence of Ukraine and the Introduction of the Military Status in Ukraine" NSDC ; The decision of 11-26-2018
	On Approval of the Decree of the President of Ukraine "On the Introduction of the Military Status in Ukraine" Law of Ukraine of 26.11.2018 № 2630-VIII
	On the Appeal of the Verkhovna Rada of Ukraine to the United Nations, the European Parliament, the Parliamentary Assembly of the Council of Europe, the NATO Parliamentary Assembly, the OSCE Parliamentary Assembly, the GUAM Parliamentary Assembly, the national parliaments of the countries of the world in connection with the next act of aggression against the Russian Federation Resolution of the Verkhovna Rada of Ukraine; Appeal from 26.11.2018 № 2632-VIII
	About the introduction of a martial law in Ukraine Decree of the President of Ukraine dated November 26, 2018 No. 393/2018

Eurasian Economic Union (EAEU)

Decisions and recommendations of the Eurasian Economic Commission

The following Eurasian Economic Commission (EEC) decisions and recommendations have been posted in the documents section of the [Eurasian Economic Commission documentation page](#). In general, only *Решения*, *Распоряжение* and Recommendations having a direct effect on international traders are listed.

Publication Date	Title
Board (Коллегии) of the Eurasian Economic Commission Решения	
06-11-18	№ 171 (30-10-18) On the classification of biologically active food additives in the form of chewing marmalade in accordance with the single Commodity Nomenclature of Foreign Economic Activity of the Eurasian Economic Union
	№ 172 (30-10-18) On the classification of quadcopters in accordance with the single Commodity Nomenclature of Foreign Economic Activity of the Eurasian Economic Union
	№ 173 (30-10-18) On Amendments to the Decision of the Board of the Eurasian Economic Commission No. 24 of February 7, 2018
	№ 174 (30-10-18) On approval of the Rules for the implementation of a common process "Formation, maintenance and use of a single customs register of intellectual property objects of the member states of the Eurasian Economic Union"
	№ 175 (30-10-18) On the classification of products impregnated with insecticidal and acaricidal substances, in accordance with the single Commodity Nomenclature of Foreign Economic Activity of the Eurasian Economic Union
	№ 176 (30-10-18) On Amendments to the Decision of the Commission of the Customs Union of September 20, 2010 No. 378
	№ 177 (30-10-18) On making changes to the list of common processes within the Eurasian Economic Union
	№ 178 (30-10-18) About the Advisory Committee on the Agro-Industrial Complex
	№ 179 (30-10-18) On technological documents regulating information interaction in the implementation by means of an integrated information system of external and mutual trade of the general process "Formation, maintenance and use of a database of licenses issued, permits and conclusions (permits) in the field of foreign trade in goods" in terms of licenses permissions
16-11-18	№ 180 (12-11-18) On other cases of using the goods declaration as a document on the conditions for processing goods in the customs territory of the Eurasian Economic Union
	№ 181 (12-11-18) On the fulfillment by the Russian Federation of obligations in the framework of the functioning of the internal market of the Eurasian Economic Union
	№ 182 (12-11-18) On approval of the Temporary Order of Interaction between the Authorized Bodies of the Member States of the Eurasian Economic Union and the Eurasian Economic Commission during the implementation of a pilot project on the formation of a system for informing about products that do not meet the requirements of the technical regulations of the Eurasian Economic Union
	№ 183 (12-11-18) On the classification of the pressure switch in accordance with the single Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union
	№ 184 (12-11-18) On the classification of metal frames for bras in accordance with the single Commodity Nomenclature of Foreign Economic Activity of the Eurasian Economic Union

Publication Date	Title
23-11-18	№ 185 (20-11-18) On the document on the payment of customs duties and taxes in respect of goods for personal use, the customs declaration of which is carried out using the passenger customs declaration for express cargo
	№ 186 (20-11-18) On recognition of invalidation of some decisions of the Commission of the Customs Union
	№ 187 (20-11-18) On setting the import customs duty rate of the Unified Customs Tariff of the Eurasian Economic Union for certain types of electrodes
	№ 188 (20-11-18) On introducing amendments to the Decision of the Board of the Eurasian Economic Commission of November 10, 2015 No. 148
	№ 189 (20-11-18) On Amendments to the Unified Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union and the Unified Customs Tariff of the Eurasian Economic Union for Latex for Carpet Production
	№ 190 (20-11-18) On the fulfillment by the Republic of Belarus of obligations within the framework of the functioning of the internal market of the Eurasian Economic Union

Classification decisions adopted by the Commission and preliminary decisions adopted by the States-Members

The Commission has posted a table which provides a [collection of classification decisions](#) under the common tariff adopted by the Commission. A separate website exists for [preliminary decisions on the classification of goods adopted by the customs authorities of states - members](#) of the Eurasian Economic Union. It was last updated 22 November 2018. The table lists the tariff codes, a description, rationale (GRIs) for the decision.

BELARUS

Preliminary decisions on tariff classification

The State Customs Committee maintains a [searchable database of preliminary decisions on the tariff classification of goods](#) (*База данных товаров, в отношении которых принято предварительное решение о классификации*). The database has been updated through November 2018. It may be searched by tariff code or description (in Russian).

RUSSIAN FEDERATION

Russian Government issues decrees to protect financial institutions from mandatory disclosure requirements in response to sanctions

On November 23, 2018 the Russian Government issued Decrees [No. 1403](#), [No. 1404](#), [No. 1405](#) ("Decrees"), establishing the right of Russian banks and credit institutions that fall under foreign sanctions to not disclose certain information that is normally subject to mandatory disclosure requirements.

In particular, the Decrees prescribe such banks and credit institutions to provide information on its shareholders and UBOs only to the Central Bank of Russia and to give motivated explanations. The Central Bank of Russia is recommended to not disclose such information publicly.

According to the Russian Government, the above measures are intended to safeguard the interests of Russian banks and credit institutions that fall under sanctions imposed by foreign states.

The Decrees are expected to come into force on December 5, 2018.

If you have any questions, please contact one of the authors, [Vladimir Efremov](#) or [Alexander Bychkov](#).

Countersanctions against Ukrainian individuals and legal entities

On 1 November 2018 the Government of the Russian Federation introduced sanctions against a number of Ukrainian persons with immediate effect.

Who is affected?

The newly introduced measures target (i) 322 individuals and 68 legal entities, listed by the Resolution, and (ii) entities that are controlled by such listed persons.

The concept of "control" is not defined in Russian sanctions-related legislation. It cannot be excluded that the state authorities may interpret this term arbitrarily. The sanctions are imposed without time limits and regardless of the country where the controlled organization is registered.

What are the consequences?

The sanctions include the following actions:

1. blocking (freezing) of non-cash funds, non-documentary securities and property located on the territory of the Russian Federation;
2. ban on transfer of money sent outside Russia.

Who must implement the measures?

The sanctions are mandatory for the state authorities of the Russian Federation, municipal government bodies, as well as entities and individuals that are under the jurisdiction of the Russian Federation.

Currently, Russian law does not set any punishment for non-compliance with the sanctions.

Recommended actions

Interested parties should carefully analyze the list of sanctioned persons, as well as the ownership structure and control of their counterparties related to Ukraine, to understand if they are affected by the application of the measures imposed by the Resolution.

Other provisions to be noted

Pursuant to the Resolution, the Ministry of Finance is now responsible for presenting suggestions to the Russian Government on:

- I. amendments to the list of sanctioned persons;
- II. issuance of temporary specific licenses for performance of certain operations involving persons on the list;
- III. repealing the Resolution if Ukraine cancels the restrictive measures implemented against Russian persons.

If you have any questions, please contact [Alexander Bychkov](#), [Vladimir Efremov](#), [Serhiy Chorny](#) or [Hanna Shtepa](#).

Legislation (acts, resolutions, orders, etc.)

The following Russian Federation (RF) Acts, Government Resolutions/Decrees (*Постановление Правительства*) (GR), Federal Customs Service (FCS) Orders and other pieces of legislation were published in the [Rossiyskaya Gazeta](#) or the Official Portal for Legal Information ([Официальный интернет-портал правовой информации](#)) during the period of coverage of this Update:

Date of Publication	Subject
02-11-18	Order of the Government of the Russian Federation of October 31, 2018 No. 2366-p "On the termination of the Agreement between the Government of the Russian Federation and the Government of the Republic of Belarus on the customs clearance of goods imported by individuals to the member states of the Union of Belarus and Russia"
16-11-18	Order of the Federal Customs Service, Ministry of Energy of the Russian Federation, Ministry of Transport of the Russian Federation, Federal Agency for Subsoil Use dated 16 October 2017 No. 1677/889/364/458 "On recognition of the order issued by the Federal Customs Service of Russia, the Ministry of Energy of Russia, the Ministry of Transport of Russia and Rosnedr of 3 November 2009 № 1998/471/1088/196 "On peculiarities of customs clearance and customs control when exported from the customs territory of the Russian Federation, crude oil, classified in subheading 2709 00 900 3 HS TC" and any revision " (Registered 15/11/2018 number 52692)
20-11-18	Order of the Federal Customs Service of 23.10.2018 No. 1706 "On recognizing invalid the order of the Federal Customs Service of Russia of 20 April 2011 No. 823" On approval of the Procedure for interaction of customs authorities in the implementation of the decision (s) of the customs authority that conducted the customs inspection " (Registered 19.11. 2018 No. 52707)
22-11-18	Russian Federation Government Resolution dated 11.20.2018 number 1386 "On Amendments to the list of goods that are essential for the domestic market of the Russian Federation in respect of which, in exceptional cases, temporary restrictions or export bans can be established"

Africa

SOUTH AFRICA

South African Customs and Excise Act Amendments of Rules and Tariff Schedules

Date	Publication Details	Subject	Implementation Date
16-11-18	GG.42036 R.1234	Amendment to Part 1 of Schedule No. 3 by the insertion of rebate items 306.15/2815.12/01.06 and 306.15/2815.12/02.06 in order to create a rebate provision for sodium hydroxide used in the extraction process of copper and nickel classifiable in tariff subheadings 2603.00 and 2604.00 – ITAC Report 592 <ul style="list-style-type: none"> Notice R.1234 	16-11-18
	GG.42036 R.1231	Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04, 260.03/7225.30/01.06, 260.03/7225.99/01.06 and 260.03/7226.99/01.06 to exclude various rebate items	Up to and including 10-08-19

Date	Publication Details	Subject	Implementation Date
		classifiable under rebate item 460.15 from being subject to safeguard duty applicable to certain flat steel used in the automotive industry – ITAC Report 590 <ul style="list-style-type: none"> Notice R.1231 	
	GG.42036 R.1232	Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04, 260.03/7225.30/01.06, 260.03/7225.99/01.06 and 260.03/7226.99/01.06 to exclude various rebate items classifiable under rebate item 460.15 from being subject to safeguard duty applicable to certain flat steel used in the automotive industry – ITAC Report 590 <ul style="list-style-type: none"> Notice R.1232 	11-08-19 up to and including 10-08-20
	GG.42036 R.1233	Amendment in Part 2 of Schedule No. 4 by the insertion of various rebate items classifiable under rebate item 460.15 in order to create a rebate facility on certain flat steel used in the automotive industry – ITAC Report 590 <ul style="list-style-type: none"> Notice R.1233 	16-11-18
30-11-18	GG.42064 R.	Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04, to exclude rebate items 460.15/7208.51/02.06 and 460.15/7208.51/03.06 from being subject to safeguard duty applicable to primary flat rolled steel classifiable in tariff subheading 7208.51 – ITAC Report 586 <ul style="list-style-type: none"> Notice R.1323 	Up to and including 10-08-19
	GG.42064 R.	Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04, to exclude rebate items 460.15/7208.51/02.06 and 460.15/7208.51/03.06 from being subject to safeguard duty applicable to primary flat rolled steel classifiable in tariff subheading 7208.51 – ITAC Report 586 <ul style="list-style-type: none"> Notice R.1324 	11-08-19 up to and including 10-08-20
	GG.42064 R.1325	Amendment in Part 2 of Schedule No. 4 by the insertion of rebate items 460.15/7208.51/02.06 and 460.15/7208.51/02.06 in order to create a rebate facility on primary flat rolled steel classifiable in tariff subheading 7208.51 – ITAC Report 586 <ul style="list-style-type: none"> Notice R.1325 	30-11-18

Other African Countries (except North Africa)

Date	Subject
	Zimbabwe
09-11-18	Customs and Excise (Suspension) (Amendment) Regulations 2018 (No. 201)

Trade compliance enforcement actions - import, export, IPR, FCPA

The links below will take you to official press releases and summaries of administrative and judicial trade compliance enforcement actions (arrests, indictments, penalties, seizures, convictions, debarments, etc.) involving US and foreign import, export, FCPA/anti-bribery, IPR border enforcement and related matters. Child pornography, controlled substance and currency related seizures and arrests will not be listed, unless connected to trade violations. [Foreign government cases are preceded by the letter (F) in parenthesis].

[Agency abbreviations: US agencies - APHIS= Animal & Plant Health Inspection Service; ATF=Bureau of Alcohol, Tobacco, Firearms and Explosives; BIS= Bureau of Industry and Security, Office of Export Enforcement (Commerce); CBP=US Customs and Border Protection; CPSC=Consumer Product Safety Commission; DDTC= State Dep't Directorate of Defense Trade Controls; DOJ=Department of Justice, including US Attorneys; DEA=Drug Enforcement Administration; DoD=Dep't of Defense components [NCIS, DCIS, CID, etc.]; FBI=Federal Bureau of Investigation; FDA= US Food and Drug Administration; FRB= Federal Reserve Board of Governors; FTC= Federal Trade Commission; FWS= US Fish & Wildlife Service; GSA= General services Administration; HSI=US Immigration and Customs Enforcement, Homeland Security Investigations; NOAA=National Oceanic and Atmospheric Administration; OFAC=Office of Foreign Assets Control (Treasury); SEC=Securities and Exchange Commission; USCG= US Coast Guard; USPIIS=Postal Inspection Service; USDA= US Department of Agriculture; DSS= Diplomatic Security Service; SIGAR=Special IG for Afghanistan Reconstruction; Local agencies - PD = Police departments; Non-US agencies - CBSA= Canada Border Services Agency; RCMP= Royal Canadian Mounted Police; SAT=Mexican Customs; HKCE= Hong Kong Customs & Excise; SFO = UK Serious Fraud Office.]

Date of Release	Subject
11-01-18	PRC State-Owned Company, Taiwan Company, and Three Individuals Charged with Economic Espionage (DOJ, FBI)
11-02-18	Queens Resident Sentenced to 30 Months' Imprisonment for Smuggling Counterfeit Apparel into the United States from China (DOJ, ICE, CBP)
11-05-18	CBP Seizes a Shipment of Invasive Mitten Crabs (CBP)
11-07-18	HSI Boston, IPR Center, partners rack up major league results against counterfeit dealers in 2018 World Series enforcement effort (NIPRCC, ICE)
	Counterfeit Accessories Seized by CBP (CBP)
11-08-18	Iranian National Pleads Guilty to Conspiring to Illegally Export Products from the United States to Iran (DOJ, ICE, FBI)
11-09-18	Two Residents of Lebanon Arrested in Seattle in Connection with Scheme to Illegally Export Firearms to Lebanon (DOJ, ICE, ATF)
11-13-18	California Resident Sentenced to 9 Years in Prison and \$1 Million Fine for His Scheme to Illegally Export Components for Production of Night Vision and Thermal Devices and Money Laundering (DOJ, FBI, IRS, BIS)
11-16-18	Arms trafficker found guilty of conspiring to supply and use anti-aircraft missiles after pleading guilty to other arms offenses (DOJ, ICE, BIS)
11-19-18	Settlement Agreement between the U.S. Department of the Treasury's Office of Foreign Assets Control and Société Générale S.A. [\$53,966,916.05] (part of a global settlement among Société Générale S.A., OFAC, the Board of Governors of the Federal Reserve System, DOJ, New York County DA's Office, the U.S. Attorney for the SDNY, and the NYS Department of Financial Services.)
11-20-18	Venezuelan billionaire charged; former Venezuelan national treasurer and former owner of Dominican Republic bank both plead guilty in money laundering conspiracy involving \$1 billion in bribes (ICE, FBI, FDIC, DOJ, Span. Nat. Police)
11-26-18	Over a million websites seized in global operation (ICE, DOJ, DCIS, Europol, Interpol and others plus industry partners)
	CBP and Cisco Collaborate to Facilitate the Authentication of Cisco Shipments Entering US (CBP, Cisco)
11-27-18	Cobham Holdings, Inc. Settles Potential Civil Liability for Apparent Violations of the Ukraine Related Sanctions Regulations (OFAC)
	Former Las Cruces U.S. Customs and Border Protection Officer Sentenced to 12 Months in Prison for Obstruction of Justice (DOJ, CBP)
	Former Venezuelan National Treasurer Sentenced to 10 Years in Prison for Money Laundering Conspiracy Involving Over \$1 Billion in Bribes (DOJ, ICE, FBI, FDIC)
11-28-18	EKO Development, Ltd. and EKO USA, LLC, Provisional Acceptance of a Settlement Agreement and Order [CPSC Docket No. 19-C0002] (CPSC)
	Dietary Supplement Ingredient Importers Arrested in Connection With Large-Scale Smuggling and Money Laundering Scheme (CBP, FDA, DOJ)
	(F) 1.8 million smuggled cigarettes seized (NZ Customs, NZ Police)
	Three Senior Executives at Defense Contracting Firms Charged with Scheme to Defraud the U.S. Military in Connection with \$8 Billion Troop Supply Contract and with Violating the Iran Sanctions Regime (DOJ, ICE, SIGAR)

Date of Release	Subject
11-30-18	ICE removes Chinese man sentenced convicted of violating the International Emergency Economic Powers Act (DOJ, ICE, BIS, DoD)
	Two Freight Forwarding Executives Plead Guilty To Fixing Prices (DOJ, FBI)

Newsletters, Reports, Articles, Etc.

Baker & McKenzie Global VAT/GST Newsletter

Baker & McKenzie's [Global VAT/GST Newsletter](#) provides a quick update into important developments in the field of VAT/GST across the globe. In order to maximize the effectiveness of this newsletter to you, most articles are brief and are designed to flag topics that are likely to affect multi-national businesses. Contacts for the Global VAT/GST Newsletter are:

- Jochen Meyer-Burrow, Partner, jochen.meyer-burrow@bakermckenzie.com
- Martin Morawski, Associate, martin.morawski@bakermckenzie.com


Publications, Alerts, Newsletters

The following Baker & McKenzie publications, client alerts, legal alerts or newsletters released during the period of coverage of this *Update* may be of interest to you:

Subject
International Trade, Tax and Anti-corruption
Global International Trade Compliance Update – November 2018 {older issues}
Indonesia Insight: Ministry of Finance Provides More Detailed Provisions on Bonded Zone Under the New Regime
China Trade and Customs/ Technology, Media & Telecommunications Client Alert (November 2018): "Grace period" for cross-border e-commerce pilot program indefinitely extended
China Tax Client Alert: China's draft IIT (Individual Income Tax) implementing regulations and measures present tax planning opportunities and challenges
Russia International Trade Legal Alert (November 2018): Countersanctions Against Ukrainian Individuals and Legal Entities (Eng.); Россия Международная торговля Информационное письмо (Ноябрь 2018) Санкции Против Физических И Юридических Лиц Украины (Rus.)
Vietnam Trade Client Alert (November 2018): Vietnam has ratified the CPTPP
LegalBytes (Global Technology, Media & Telecommunications Group) Digitalizaion – Tax in the age of intangible value
Africa Legal Alert: Francophone Africa Newsletter- November 2018 (Eng.); Newsletter Afrique Francophone (Fr.)
Mexico International Commercial Client Alert 66: IMMEX Companies- Temporary Importation of Sensitive Goods (Eng.); Empresas IMMEX - Importación Temporal de Bienes Sensibles (Span.)
Ukraine International Commerce and Trade Legal Alert: Ukraine Introduces Martial Law in Certain Regions
Ukraine Insight: Ukraine Initiates Taxation of Crypto Assets
Insight: Remarkable Anti-Corruption Framework in the New USMCA
Other areas
Hong Kong Financial Services Client Alert: The Dawn of Virtual Assets Regulations: - New measures for crypto funds activities - Sandbox plans for crypto-exchanges
Vietnam Capital Markets Client Alert: New Draft Law on Securities proposing important changes to various provisions including foreign ownership limitation, IPO and tender offer
EMEA Healthcare Industry Group Newsletter November 2018


Subject
Vietnam Technology, Media & Telecommunications (November 2018) - Official Draft Decree implementing the Law on Cybersecurity provides application scope and details on the data localization and local office requirements
Asia-Pacific Competition Quarterly Newsletter (November 2018)
Singapore Healthcare Newsletter (Oct. 2018) -More Medical Service Providers Join the Ministry of Health's Telemedicine Sandbox
Thailand Insurance Newsletter: Insurance Revolution #8: Insurtech for Risk Management

Webinars, Meetings, Seminars, Etc.



2018 Global Trade and Supply Chain Webinar Series

Continuing Challenges in Global Trade



Our 15th annual **Global Trade and Supply Chain Webinar Series** entitled, "**2018: Continuing Challenges in Global Trade**" ends on December 8, 2018.

This year, we again expanded our usual program to include our **Customs Academy**, which featured six "Customs 101" webinars ([highlighted in green](#) below). The Customs 101 program is primarily aimed at participants who are new to Customs and/or those who would like a refresher and included introductory sessions on key Customs topics such as tariff classification, valuation and origin; and an overview of Customs in some key jurisdictions.

Terrie Gleason, a partner in our San Francisco, CA office and Head of the Firm's Global Customs Focus Group, and **Jenny Revis**, a partner in our London office, moderated these webinars and were joined by experts from across our global network.

The last webinar will begin at 11:00 AM Eastern (US) and is scheduled to run approximately 90 minutes. If you reside in a different time zone and wish to verify your time - please click on the following link: www.timeanddate.com.

If you missed a webinar that has already been given, wish to see it again or want to download a presentation, you may do so at [this link](#) or by clicking the blue title below which indicates the material has been posted. Webinars are usually posted approximately two weeks after the live presentation.

January 30	Human Rights, Forced Labor, and Ethical Supply Chains: Best Practices for Managing Growing Legal Obligations and Risks Speakers: Reagan Demas (DC), John Foote (DC), Francesca Richmond (London), and Christopher Burkett (Toronto)
February 27	Customs Basic: How to Classify Your Products Speakers: Jose Hoyos-Robles (Mexico City), Olof Johannesson (Stockholm), Andrew Rose (London), Riza Buditomo (Jakarta) and Nicole Looks (Frankfurt)
March 27	Hot Topics in US, European, and Asian Export Controls

To register for the final webinar in this **complimentary webinar series**, click on the **REGISTER NOW** button and provide your information.

We hope you will participate in and enjoy this exciting webinar!

Login Details:
Log-in details will be sent via email one week before the event.

Webinar Series Lead:
Teresa A. Gleason
 Head, Global Customs Focus Group (San Francisco, CA)

	Speakers: Marc Lager (Vienna), Anne Petterd (Singapore), Alex Lamy (DC), John McKenzie (San Francisco)	Tel: +1 415 576 3021 teresa.gleason@bakermckenzie.com
April 24	Customs Basic: How to determine the origin of your products	
	Speakers: Adrianna Ibarra-Fernandez (Mexico City), Jessica Mutton (London), and John McKenzie (Palo Alto)	These webinars are all complimentary.
May 22	Russian and EU Customs Update	REGISTER NOW
	Speakers: Alexander Bychkov (Moscow), Nicole Looks (Frankfurt) and Jenny Revis (London)	Questions: If you have any questions regarding this webinar series, please contact:
June 26	Customs Basic: How to value your products	Sal Gonzalez Business Development Specialist Tel: +1 202 835 1661 sal.gonzalez@bakermckenzie.com
	Speakers: Kevin Nordin (London), Jon Cowley (Hong Kong) and Brian Cacic (Toronto)	
July 24	Update on US "Protectionism", Brexit and TPP	MCLE Credit: Approved for 1.5 California general CLE credits, 1.5 Illinois general CLE credits, 1.5 New York areas of professional practice CLE credits, and 1.5 Texas general CLE credits. Florida and Virginia CLE applications can be made upon request. Participants requesting CLE for other states will receive Uniform CLE Certificates.
	Speakers: Stu Seidel (DC), Jenny Revis (London), Cindy Owens (Singapore) and Fred Burke (Ho Chi Minh)	Baker & McKenzie LLP is a California and Illinois CLE approved provider. Baker & McKenzie LLP has been certified by the New York State CLE Board as an accredited provider in the state of New York for the period 12/12/15-12/11/18. This program may earn newly admitted New York attorneys credit under Areas of Professional Practice. Baker & McKenzie LLP is an accredited sponsor, approved by the State Bar of Texas, Committee on MCLE.
August 28	Customs Basic: What you need to know about importing into China, Russia and the Middle East	
	Speakers: Frank Pan (Shanghai), Vladimir Efremov (Moscow), and Reggie Mezu (Middle East)	Pending - We have applied for CES and CCS credit for these webinars to the National Customs Brokers & Forwarders Association of America, Inc.
September 25	Customs Audits and Enforcement Actions: Best Practices and Trends	
	Speakers: Adriana Ibarra-Fernandez (Mexico), Nicole Looks (Frankfurt), and Stuart Seidel (DC)	
October 30	Customs Basic: What you need to know about importing into Mexico, Brazil and Argentina	
	Speakers: Manuel Padron (Juarez), Alessandra Machado (Sao Paolo), and Esteban Ropolo (Buenos Aires)	
November 27	Hot Topics in US, European, and Asian Trade Sanctions	
	Speakers: Kerry Contini (DC), Ben Smith (London), and Jon Cowley (Hong Kong)	
December 18	Customs Basic: How to mitigate duties through use of customs procedures	
	Speakers: Eunkyung Kim Shin (Chicago), Edith Salcedo-Hinojosa (Guadalajara), and Daniel Sanchez-Elizondo (Guadalajara)	



RECORDED SESSIONS FROM OUR 2018 ANNUAL YEAR-END REVIEW OF IMPORT/EXPORT DEVELOPMENTS IN SANTA CLARA, CALIFORNIA

14 November 2018 – [Year-End Review of Import/Export Developments \(Export Day\) Video](#)

- Foreign Investment Risk Review Act ("FIRRMA") and the Revision of the CFIUS Process
- United States Export Control Developments
- European Union Export Control Developments
- Emerging Export Control Programs in the Asia/Pacific Region
- Economic Sanctions Developments
- Export Control and Economic Sanctions Enforcement

[Click here to view and/or download the materials.](#)

15 November 2018 – [Year-End Review of Import/Export Developments \(Import Day\) Video](#)

- The Trump Administration Trade Agenda (this panel did not include slides)
- Trade Wars
- Trade Agreements Developments
- Overview of Customs and Import Developments: USA, Canada, EU, Mexico and Brazil
- Update on Foreign Import Restrictions
- Anti-Corruption Compliance and Trade Issues

[Click here to view and/or download the materials.](#)



Presentation Materials

- [Changes and Developments in Japan and Asia Pacific](#)
- [Business Implications of Trade Conflict](#)
- [Free Trade Agreement Developments](#)
- [Trade Sanctions and Export Controls](#)
- [E Commerce Challenges and Opportunities](#)



**RECORDED SESSIONS FROM OUR 2017
ANNUAL YEAR-END REVIEW OF IMPORT/EXPORT DEVELOPMENTS
IN SANTA CLARA, CALIFORNIA
14 November 2017 – Year-End Review of Import/Export Developments (Export Day)**

[AM Sessions Recording](#) –

- Export Control Developments in the United States and European Union
- Encryption Export Controls and Cloud Computing: A Comparative Analysis
- United States Economic Sanctions Update & Russian Response to US Sanctions

[PM Sessions Recording](#) –

- Economic Sanctions: A Comparative Analysis
- Export Enforcement (panel format did not include slides)
- Export Control Developments in the Asia Pacific Region
- Arab States Boycott of Qatar and the Implications Under the United States Anti-Boycott Regulations

15 November 2017 – Year-End Review of Import/Export Developments (Import Day)

[AM Sessions Recording](#) –



- The Current International Trade Environment: Challenges to Globalization and its Impact on the Supply Chain
- Trade Policies and Initiatives Under the Trump Administration
- The NAFTA Renegotiation: A Multinational Perspective
- United States and Canadian Customs Regulatory Update













[PM Sessions Recording](#) –








- European Union Customs and Trade Developments
- Emerging Impediments to the Import of IT Products into China
- Latin American Trade Developments



























WTO TBT Notifications

Member countries of the World Trade Organization (WTO) are required under the *Agreement on Technical Barriers to Trade* (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. The WTO Secretariat distributes this information in the form of "notifications" to all Member countries. This chart summarizes notifications in English posted by the WTO during the past month. If you are interested in obtaining copies of any of these notifications, please contact stuart.seidel@bakermckenzie.com who will try to obtain the text. Some notifications are only available in the official language of the country publishing the notification. *Note: All dates are given as mm/dd/yyyy; National flags are not scaled for relative comparison.*



























Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Argentina	ARG/342/Add.3	10/31/2018	Not given	Furniture in general; Other furniture and parts thereof (HS 9403)
 Argentina	ARG/352	11/07/2018	11/30/2018	Wine of fresh grapes, including fortified wines; grape must other than that of heading 20.09 (HS 2204)
 Argentina	ARG/351/Add.1	11/08/2018	Not given	Wine of fresh grapes, including fortified wines; grape must other than that of heading 20.09 (HS 2204)
 Argentina	ARG/351	11/07/2018	11/30/2018	Wine of fresh grapes, including fortified wines; grape must other than that of heading 20.09 (HS 2204)
 Argentina	ARG/151/Rev.1	11/20/2018	Not given	Bicycles
 Bahrain, Kingdom of	BHR/555	11/13/2018	01/12/2019	Food products
 Brazil	BRA/621/Add.3	11/01/2018	Not given	Instruments & apparatus for measuring, level pressure (HS 9026.20, 90.14, 90.15, 90.28 or 90.32)
 Brazil	BRA/764/Add.2	11/05/2018	Not given	Agriculture and livestock products
 Brazil	BRA/559/Add.7	11/06/2018	Not given	Parts and accessories of vehicles of headings (HS 8711 to 8713, 8714)
 Brazil	BRA/790/Add.1	11/06/2018	Not given	Parts & accessories for motor cycles/cycles (HS 8714)
 Brazil	BRA/791/Add.1	11/06/2018	Not given	Parts & accessories for motor cycles/cycles (HS 8714)
 Brazil	BRA/792/Add.1	11/06/2018	Not given	Parts & accessories for motor cycles/cycles (HS 8714)
 Brazil	BRA/323/Add.4	11/26/2018	Not given	Transportable containers for liquefied petroleum gas
 Brazil	BRA/847	11/22/2018	12/19/2018	Chapter 30 - Pharmaceutical products
 Brazil	BRA/848	11/26/2018	12/19/2018	Lead acid accumulators (HS 8507)
 Brazil	BRA/849	11/26/2018	Not given	Maximum vehicles emission limits
 Burundi	BDI/8	10/31/2018	12/30/2018	Sacks and bags, of a kind used for the packing of goods (HS 6305), Sacks and bags (including cones) (HS 39232), Other sacks and bags, including cones (HS 481940)
 Burundi	BDI/9	11/26/2018	01/25/2019	Varnishes for Interior surfaces
 Burundi	BDI/10	11/26/2018	01/25/2019	Hot applied thermoplastic road marking paint
 Burundi	BDI/11	11/26/2018	01/25/2019	Hot applied thermoplastic road marking paint
 Burundi	BDI/12	11/26/2018	01/25/2019	Solvent-based paint remover
 Burundi	BDI/13	11/26/2018	01/25/2019	Road marking paints
 Canada	CAN/524/Add.1	11/01/2018	Not given	Playpens and playpen accessories
 Canada	CAN/541/Add.1	10/31/2018	Not given	Asbestos and products that contain asbestos
 Canada	CAN/569	10/30/2018	01/10/2019	Sperm and ova for assisted human reproduction
 Canada	CAN/570	11/29/2018	02/01/2019	Ultra-Low Power (ULP) Wireless Medical Endoscopy Devices
 Chile	CHL/396/Add.1	11/21/2018	Not given	Hybrid and electric vehicles

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 China	CHN/1288	11/07/2018	01/06/2019	Motor vehicle lamps; - Other lighting or visual signalling equipment (HS 851220)
 China	CHN/1289	11/07/2018	01/06/2019	Motor vehicle lamps; - Other lighting or visual signalling equipment (HS 851220)
 China	CHN/1290	11/07/2018	01/06/2019	Motor vehicles; Tractors (other than tractors of heading 87.09) (HS 8701), Motor vehicles for the transport of ten or more persons, including the driver (HS 8702), Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 87.02), including station wagons and racing cars (HS 8703), Motor vehicles for the transport of goods. (HS 8704), Special purpose motor vehicles, other than those principally designed for the transport of persons or goods (for example, breakdown lorries (wreckers), crane lorries (mobile cranes), fire fighting vehicles, concrete mixer lorries (concrete-mixers), road sweeper lorries (road sweepers), spraying lorries (spraying vehicles), mobile workshops, mobile radiological units) (HS 8705), Chassis fitted with engines, for the motor vehicles of headings 87.01 to 87.05 (HS 8706)
 China	CHN/1291	11/07/2018	01/06/2019	Submersible mixer; -- Mixing, kneading, crushing, grinding, screening, sifting, homogenising, emulsifying or stirring machines (HS 847982)
 China	CHN/1292	11/07/2018	01/06/2019	LED luminaires for road and tunnel lighting; - Other electric lamps and lighting fittings (HS 940540)
 China	CHN/1293	11/07/2018	01/06/2019	Refrigerated beverage vending machines; Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning machines of heading 84.15 (HS 8418)
 China	CHN/1294	11/07/2018	01/06/2019	LED products for indoor lighting; - Other electric lamps and lighting fittings (HS 940540)
 China	CHN/1295	11/07/2018	01/06/2019	Unitary air conditioners; Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated (HS 8415)
 China	CHN/1296	11/07/2018	01/06/2019	Rotary aerator; -- Mixing, kneading, crushing, grinding, screening, sifting, homogenising, emulsifying or stirring machines (HS 847982)
 China	CHN/1297	11/07/2018	01/06/2019	Ducted air conditioners; Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated (HS 8415)
 China	CHN/1298	11/07/2018	01/06/2019	Low ambient temperature air source heat pumps (water chiller) packages; Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated (HS 8415)
 China	CHN/1299	11/07/2018	01/06/2019	Electric dishwashers; Dish washing machines; machinery for cleaning or drying bottles or other con-

















Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				tainers; machinery for filling, closing, sealing, or labelling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; other packing or wrapping machinery (including heat-shrink wrapping machinery); machinery for aerating beverages (HS 8422)
 China	CHN/1300	11/21/2018	01/20/2018	Household Refrigerator (>500L) (HS 8418101000, 8418211000, 8418500000, 8418299000, 8418301000, 8418302100, 8418401000, 8418402100, 8418692010, 8418699090)
 China	CHN/1301	11/21/2018	01/20/2019	Domestic gas cooking appliances, Domestic gas instantaneous water heater, Gas-fired heating and hot water combi-boilers (HS 7321110000, 7321110000, 8419110000, 8403101000)
 China	CHN/1302	11/21/2018	01/20/2019	Electrical Apparatus for Explosive Atmosphere (HS 85015100, 85015200, 85015300, 84135039, 84136039, 85371090, 85044014, 85389000, 85041090, 85012000, 84818039, 85258039, 85171800, 84151010, 84151022, 84145990, 85162990, 85462090, 85469000, 90251910, 90292090, 85363000, 85414090, 85393199, 94054090)
 European Union	EU/617	11/01/2018	12/31/2018	Ethoprophos (pesticide active substance)
 European Union	EU/618	11/07/2018	01/06/2019	Construction products
 European Union	EU/619	11/15/2018	01/14/2019	Construction products
 European Union	EU/620	11/21/2018	01/20/2019	Refrigerating appliances with a direct sales function
 European Union	EU/621	11/21/2018	01/20/2019	Refrigerating appliances with a direct sales function
 European Union	EU/622	11/23/2018	01/22/2019	Welding equipment
 European Union	EU/623	11/26/2018	01/25/2019	Railway interoperability constituents, subsystems and vehicles
 European Union	EU/624	11/30/2018	01/29/2019	Heavy Duty Vehicles or engines
 France	FRA/189	11/23/2018	01/22/2019	Fire safety in establishments open to the public (Article CH 35: Equipment or facilities using refrigerants)
 Georgia	GEO/105	11/28/2018	Not given	Construction products
 Georgia	GEO/106	11/28/2018	Not given	Construction products
 Grenada	GRD/20	11/23/2018	01/21/2019	Tobacco products
 Honduras	HND/64/Add.2/Corr.1	10/31/2018	Not given	Food additives (ICS 67.050)
 Honduras	HND/69/Add.2/Corr.1	10/31/2018	Not given	Pharmaceutical products
 Honduras	HND/92/Add.1/Corr.1	10/31/2018	Not given	Milk powder and cream powder
 Indonesia	IDN/64/Add.3	11/30/2018	Not given	Toys (HS 9503), Baby walker-of metal (HS 9403.20) of plastics (9403.70), Tricycles, scooters, pedal cars and similar wheeled toys; dolls' carriages (HS 9503), Dolls (HS 9503), Electric trains, including tracks, signals and other accessories

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				therefore (HS 9503), Ftalat-Reduced size ("scale") models and similar recreational models, working or not: Model aircraft assembly kits, Others (HS 9503)
 Israel	ISR/1027	10/31/2018	12/30/2018	Beer (HS 2203)
 Israel	ISR/1028	10/31/2018	12/30/2018	Jams, jellies and marmalades (HS 2007)
 Israel	ISR/1029	10/31/2018	12/30/2018	Swinging fire doors (HS 441820, 730830)
 Israel	ISR/793/Rev.1	11/05/2018	Not given	Electronic cigarette (HS 8543.70)
 Israel	ISR/1026	10/30/2018	12/29/2018	Food labelling
 Israel	ISR/1026/Corr.1	11/21/2018	Not given	Food labelling
 Israel	ISR/1024/Corr.1	11/22/2018	Not given	Audio/video, information and communication technology equipment (HS 842230, 8437, 8443, 847010, 8471, 8472, 8476, 850440, 850680, 8517, 8518, 8519, 8521, 8525, 8526, 8527, 8528, 8531, 8536, 8543, 9008, 9016, 910610, 9207, 9503, 9504, 9505, 9506)
 Israel	ISR/1030	11/27/2018	01/26/2019	Ophthalmic optics - Spectacle lenses (HS 9004)
 Israel	ISR/1031	11/27/2018	01/26/2019	Ladders (HS 392690, 442190, 732690, 761699)
 Israel	ISR/1032	11/27/2018	01/26/2019	Lamp control gear (HS 850410, 850431, 853890)
 Japan	JPN/610	10/31/2018	12/30/2018	Terminal equipment that uses the Internet Protocol and is connected to digital data transmission equipment
 Japan	JPN/611	11/21/2018	Not given	Substances with probable effects on the central nervous system
 Japan	JPN/612	11/21/2018	01/20/2019	9GHz-band solid state radar systems for ships
 Japan	JPN/613	11/29/2018	01/28/2019	Ultra Wide Band (UWB) Wireless system
 Korea, Republic of	KOR/796	10/30/2018	12/29/2018	Cosmetics
 Korea, Republic of	KOR/797	11/06/2018	11/26/2018	Consumer chemical products
 Korea, Republic of	KOR/798	11/06/2018	11/26/2018	Active substance and biocidal product
 Korea, Republic of	KOR/799	11/06/2018	11/26/2018	Active substance and biocidal product, which are subject to approval application
 Korea, Republic of	KOR/800	11/06/2018	11/26/2018	Biocidal products
 Korea, Republic of	KOR/801	11/06/2018	11/26/2018	Biocidal products
 Korea, Republic of	KOR/802	11/22/2018	01/21/2019	Electrical appliances and consumer products
 Korea, Republic of	KOR/803	11/22/2018	01/21/2019	Plastic products
 Korea, Republic of	KOR/804	11/22/2018	01/21/2019	Telecommunication Terminal Equipment
 Kuwait	KWT/442	11/13/2018	01/12/2019	Food products
 Malaysia	MYS/80	11/27/2018	01/26/2019	Honey and kelulut honey or stingless bee honey (HS 0409, 0901)
 Malaysia	MYS/81	11/27/2018	01/26/2019	Kelulut honey or stingless bee honey (HS 0409)












Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Malaysia	MYS/82	11/27/2018	01/26/2019	Supplemented food
 Malaysia	MYS/83	11/27/2018	01/26/2019	Organic food
 Mauritius	MUS/8	11/23/2018	01/22/2019	Steel Bars, Steel Wires and Steel Fabrics (HS 7221.00.00, HS 7222.11.00, HS 7222.19.00, HS 7222.20.00, HS 7222.30, HS 7222.40, HS 7223.00.00)
 Mexico	MEX/354/Add.2	10/31/2018	Not given	Watt-hour meters
 Mexico	MEX/434	10/25/2018	12/21/2018	Equipment and/or germicides for domestic water treatment; national subheadings concerned: 842121 and 380894
 Mexico	MEX/308/Add.5	10/31/2018	Not given	Eggs and egg products (heading 0407)
 Mexico	MEX/329/Add.2	10/31/2018	Not given	Portable machinery fitted with an internal combustion engine, intended mainly for agricultural, forestry and domestic use (heading 82024001)
 Mexico	MEX/343/Add.1	11/01/2018	Not given	Water heaters (HS tariff subheading 8419.11)
 Mexico	MEX/435	10/31/2018	12/24/2018	Railway tractive stock
 Mexico	MEX/436	11/21/2018	01/8/2019	Railway tracks (HS 860600)
 Oman	OMN/388	11/13/2018	01/12/2019	Food products
 Qatar	QAT/553	11/13/2018	01/12/2019	Food products
 Rwanda	RWA/182	7/25/2018	09/23/2018	Mosquito repellents
 Rwanda	RWA/183	11/20/2018	01/19/2019	Bacteria-based household cleaning products
 Rwanda	RWA/184	11/20/2018	01/19/2019	Calabash oil
 Rwanda	RWA/185	11/20/2018	01/19/2019	Ghee
 Rwanda	RWA/186	11/20/2018	01/19/2019	Moringa oil
 Rwanda	RWA/187	11/20/2018	01/19/2019	Pet shampoo
 Rwanda	RWA/188	11/20/2018	01/19/2019	Chemicals for purification of water
 Rwanda	RWA/189	11/20/2018	01/19/2019	Garages
 Rwanda	RWA/190	11/20/2018	01/19/2019	Buildings and installations for processing and storage of agricultural produce
 Rwanda	RWA/191	11/20/2018	01/19/2019	Meat, meat products and other animal produce
 Rwanda	RWA/192	11/21/2018	01/20/2019	Urwagwa (Banana beer)
 Rwanda	RWA/193	11/21/2018	01/20/2019	Banana based alcoholic beverages
 Rwanda	RWA/194	11/21/2018	01/20/2019	Plant flavoured alcoholic beverages
 Rwanda	RWA/195	11/21/2018	01/20/2019	Energy drinks
 Rwanda	RWA/196	11/21/2018	01/20/2019	Macadamia kernels
 Rwanda	RWA/197	11/21/2018	01/20/2019	Roasted macadamia nuts
 Rwanda	RWA/198	11/21/2018	01/20/2019	Wheat flour
 Rwanda	RWA/199	11/21/2018	01/20/2019	Milled maize (corn) products

































Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Rwanda	RWA/200	11/21/2018	01/20/2019	Green gram
 Rwanda	RWA/201	11/21/2018	01/20/2019	Sorghum grains
 Rwanda	RWA/202	11/21/2018	01/20/2019	Finger millet grains
 Rwanda	RWA/203	11/21/2018	01/20/2019	Composite flour
 Rwanda	RWA/204	11/21/2018	01/20/2019	Liquid wastes, Sludge
 Rwanda	RWA/205	11/21/2018	01/20/2019	Liquid wastes, Sludge
 Rwanda	RWA/206	11/21/2018	01/20/2019	Liquid wastes, sludge
 Rwanda	RWA/207	11/21/2018	01/20/2019	Solid wastes, management
 Rwanda	RWA/208	11/21/2018	01/20/2019	Solid wastes, handling, collection, transportation and disposal
 Rwanda	RWA/209	11/21/2018	01/20/2019	Solid wastes, disposal sites
 Rwanda	RWA/210	11/21/2018	01/20/2019	Glass in buildings
 Rwanda	RWA/211	11/21/2018	01/20/2019	Comb foundation mill-specification
 Rwanda	RWA/212	11/21/2018	01/20/2019	Conservation and maintenance of honey bees
 Rwanda	RWA/213	11/21/2018	01/20/2019	Packaged bee box
 Rwanda	RWA/214	11/22/2018	01/20/2019	Beekeeping, Apiary management
 Rwanda	RWA/215	11/22/2018	01/20/2019	Beekeeping, Comb foundation sheet
 Rwanda	RWA/216	11/29/2018	01/28/2019	Edible full fat soya flour
 Saudi Arabia	SAU/1094	11/08/2018	01/07/2019	Detergents (Annex (1) Examples of detergents that are subject to this regulation with HS Code page 12)
 Saudi Arabia	SAU/1095	11/13/2018	01/12/2019	Food products
 Singapore	SGP/39/Add.1	11/23/2018	Not given	Ready-to-eat food
 Sri Lanka	LKA/38	10/31/2018	12/30/2018	Colour coding regulations (sugar, salt and fat)
 Taiwan Economy	TPKM/330/Add.1	10/31/2018	Not given	Metallic flexible hoses for gas (4009.21.90.00.9A; 4009.22.90.00.8; 4009.31.90.00.7A; 4009.32.90.00.6; 4009.41.90.00.5A; 4009.42.90.00.4) Plastic hoses for fuel gas (3917.32.00.10.6; 3917.32.00.20.4; 3917.32.00.90.9; 3917.33.00.20.3; 3917.33.00.90.8) Wire reinforced rubber hoses and hose assemblies for fuel gas (8307.10.00.00.2; 8307.90.90.00.6)
 Taiwan Economy	TPKM/340	11/06/2018	01/05/2019	Cosmetics
 Taiwan Economy	TPKM/341	11/08/2018	01/07/2019	Food required to be registered with the central competent authority
 Taiwan Economy	TPKM/285/Rev. 1/Add.1	11/21/2018	Not given	Imported Foods and Related Products
 Taiwan Economy	TPKM/315/Add.1	11/21/2018	Not given	Active pharmaceutical ingredients (APIs)











Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Taiwan Economy	TPKM/331/Add.1	11/29/2018	Not given	Water Dispensers; Other (HS 841869), - Electric instantaneous or storage water heaters and immersion heaters (HS 851610)
 Taiwan Economy	TPKM/333/Add.1	11/29/2018	Not given	Weighing instruments; Volumeters
 Tanzania	TZA/223	11/07/2018	01/06/2018	Herbal soap
 Tanzania	TZA/224	11/07/2018	01/06/2019	Linear alkylbenzene
 Tanzania	TZA/225	11/07/2018	01/06/2019	Iodated Salt
 Thailand	THA/523	10/31/2018	12/30/2018	Enzymes for Food Processing or Food enzymes
 Thailand	THA/524	11/15/2018	Not given	Alcohol beverages (HS 2203, 2204, 2205, 2206, 2207, 2208)
 Thailand	THA/525	11/30/2018	01/29/2019	Prepackaged foods
 Thailand	THA/526	11/30/2018	01/29/2019	Food seasoning derived from the hydrolysis or fermentation of soybean protein (HS 2103.10.00)
 Thailand	THA/527	11/30/2018	01/29/2019	Beverages in Sealed Container
 Thailand	THA/528	11/30/2018	01/29/2019	Fish Sauce (HS 2103.90.30)
 Thailand	THA/529	11/30/2018	01/29/2019	Food supplement
 Thailand	THA/530	11/30/2018	01/29/2019	Ice Cream (HS 21.05)
 Turkey	TUR/133	11/15/2018	01/14/2019	Textile-wool woven fabrics (HS 54079)
 Turkey	TUR/134	11/20/2018	01/14/2019	Food simulants to be used for testing migration of constituents of plastic materials and articles intended to come into contact with food
 Turkey	TUR/135	11/20/2018	01/14/2019	Plastic materials and articles in contact with food
 Turkey	TUR/136	11/27/2018	12/31/2018	Olive oil and olive-residue oil
 Uganda	UGA/984	11/01/2018	12/31/2018	Wire of iron or non-alloy steel (HS 7217), Barbed wire of iron or steel; twisted hoop or single flat wire, barbed or not, and loosely twisted double wire, of a kind used for fencing, of iron or steel (HS 7313)
 Uganda	UGA/985	11/01/2018	12/31/2018	Wire of iron or non-alloy steel. (HS 7217), Barbed wire of iron or steel; twisted hoop or single flat wire, barbed or not, and loosely twisted double wire, of a kind used for fencing, of iron or steel (HS 7313)
 Uganda	UGA/575/Rev.1	11/07/2018	Not given	Milled maize (corn) products (HS 110220)
 Uganda	UGA/576/Rev.1	11/07/2018	Not given	Wheat flour (HS 1101; 110100)
 Uganda	UGA/986	11/07/2018	01/06/2019	Stainless steel milk cans; -- Cans which are to be closed by soldering or crimping (HS 731021)
 Uganda	UGA/987	11/07/2018	01/06/2019	Foil for pharmaceutical packaging; Aluminium and articles thereof (HS 76)
 Uganda	UGA/988	11/07/2018	01/06/2019	Green grams; - Beans of the species Vigna mungo (L.) Hepper or Vigna radiata (L.) Wilczek (HS 071331)
 Uganda	UGA/989	11/07/2018	01/06/2019	Sorghum grains, Sorghum bicolor Moench; Grain sorghum (HS 1007)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Uganda	UGA/990	11/07/2018	01/06/2019	Finger millet grains; - Millet (HS 100820)
 Uganda	UGA/991	11/07/2018	01/06/2019	Composite flour; - Flour, meal and powder (HS 110510)
 Uganda	UGA/992	11/07/2018	01/06/2019	Edible full fat soya flour; - Of soya beans (HS 120810)
 Uganda	UGA/993	11/07/2018	01/06/2019	Concrete hollow block; Articles of cement, of concrete or of artificial stone, whether or not reinforced (HS 6810)
 Uganda	UGA/994	11/07/2018	01/06/2019	Solid concrete blocks; Articles of cement, of concrete or of artificial stone, whether or not reinforced (HS 6810)
 Uganda	UGA/995	11/07/2018	01/06/2019	Precast concrete paving units; Articles of cement, of concrete or of artificial stone, whether or not reinforced. (HS 6810), Paving blocks, slabs, bricks, squares, tiles and other articles of pressed or moulded glass, whether or not wired, of a kind used for building or construction purposes; glass cubes and other glass smallwares, whether or not on a backing, for mosaics or similar decorative purposes; leaded lights and the like; multicellular or foam glass in blocks, panels, plates, shells or similar forms (HS 7016)
 Uganda	UGA/996	11/07/2018	01/06/2019	Varnishes for Interior surfaces; Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks (HS 32)
 Uganda	UGA/997	11/07/2018	01/06/2019	Thermoplastic road marking paint; Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks (HS 32)
 Uganda	UGA/998	11/07/2018	01/06/2019	Thermoplastic road marking paint; Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks (HS 32)
 Uganda	UGA/999	11/07/2018	01/06/2019	Solvent-based paint remover; Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or varnish removers (HS 3814)
 Uganda	UGA/575/Rev.1/Corr.1	11/08/2018	Not given	Milled maize (corn) products (HS 110220)
 Uganda	UGA/991/Corr.1	11/08/2018	Not given	Composite flour; - Flour, meal and powder (HS 110510)
 Uganda	UGA/643/Add.2	11/14/2018	Not given	Surface polish. Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, "dental waxes" and dental preparations with a basis of plaster (HS 34)
 Uganda	UGA/685/Add.2	11/14/2018	Not given	Commercial blasting explosives (HS 36)
 Uganda	UGA/687/Add.1	11/14/2018	Not given	Waste management
 Uganda	UGA/692/Add.2	11/14/2018	Not given	Edible lces, Ice mixes. Ice cream and other edible ice, whether or not containing cocoa. (HS 2105)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Uganda	UGA/693/Add.2	11/14/2018	Not given	Flavoured milk, Milk and cream, concentrated or containing added sugar or other sweetening matter. (HS 0402)
 Uganda	UGA/694/Add.2	11/14/2018	Not given	Sports footwear (HS 64021, 640411, 64031)
 Uganda	UGA/695/Add.2	11/14/2018	Not given	Caprine (goat) meat, Caprine (goat) carcasses and cuts - Meat of goats (HS 020450)
 Uganda	UGA/696/Add.2	11/14/2018	Not given	Porcine (pig) meat, Porcine (pig) meat Carcasses and cuts; Meat of swine, fresh, chilled or frozen (HS 0203), - Meat of swine: (HS 02101)
 Uganda	UGA/697/Add.2	11/14/2018	Not given	Used vehicles
 Uganda	UGA/698/Add.2	11/14/2018	Not given	Pressed steel tanks
 Uganda	UGA/700/Add.2	11/14/2018	Not given	Padlocks and locks (key, combination or electrically operated), of base metal; clasps and frames with clasps, incorporating locks, of base metal; keys for any of the foregoing articles, of base metal (HS 8301).
 Uganda	UGA/701/Add.2	11/14/2018	Not given	Wall fillers
 Uganda	UGA/703/Add.1	11/14/2018	Not given	Saccharomyces cerevisiae, fermented doughs. Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading 30.02); prepared baking powders. (HS 2102), - Mixes and doughs for the preparation of bakers' wares of heading 19.05 (HS 190120)
 Uganda	UGA/704/Add.2	11/14/2018	Not given	Sucralose
 Uganda	UGA/705/Add.2	11/14/2018	Not given	Polystyrene (HS 39031)
 Uganda	UGA/706/Add.2	11/14/2018	Not given	Building limes (HS 25)
 Uganda	UGA/708/Add.2	11/13/2018	Not given	Commercial blasting explosives, Ammonium Nitrate Fuel Oil explosives. Prepared explosives, other than propellant powders. (HS 3602), - Ammonium nitrate, whether or not in aqueous solution (HS 310230)
 Uganda	UGA/709/Add.2	11/14/2018	Not given	Polyethylene. Ethylene (HS 290121), - Polyethylene having a specific gravity of less than 0.94 (HS 390110), - Polyethylene having a specific gravity of 0.94 or more (HS 390120)
 Uganda	UGA/710/Add.2	11/14/2018	Not given	Polyvinylchloride (PVC). Polymers of vinyl chloride or of other halogenated olefins, in primary forms. (HS 3904), Of polymers of vinyl chloride: (HS 39204), Vinyl chloride (chloroethylene) (HS 290321), Vinyl acetate (HS 291532), Of polymers of vinyl chloride (HS 391530), Of polymers of vinyl chloride (HS 391620), Of polymers of vinyl chloride (HS 391723), Of polymers of vinyl chloride (HS 391810), Of polymers of vinyl chloride (HS 392112)
 Uganda	UGA/722/Add.1	11/14/2018	Not given	Sanitary towels, reusable sanitary towels (HS 481840, 560110)
 Uganda	UGA/723/Add.2	11/14/2018	Not given	Adult diapers, adult briefs, adult underpads (HS 61071, 61082)
 Uganda	UGA/724/Add.2	11/14/2018	Not given	Urea fertilizer (HS 3102)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Uganda	UGA/725/Add.2	11/14/2018	Not given	Ammonium sulphate nitrate fertilizer; Mineral or chemical fertilizers, nitrogenous (HS 3102)
 Uganda	UGA/726/Add.2	11/14/2018	Not given	Calcium ammonium nitrate fertilizer, Mineral or chemical fertilizers, nitrogenous (HS 3102)
 Uganda	UGA/727/Add.2	11/14/2018	Not given	Monoammonium phosphate fertilizers, diammonium phosphate fertilizers . Mineral or chemical fertilizers, phosphatic (HS 3103), Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorus and potassium; other fertilizers; goods of this Chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg. (HS 3105)
 Uganda	UGA/728/Add.2	11/14/2018	Not given	Potassium chloride fertilizer, muriate of potash fertilizer (HS 3104)
 Uganda	UGA/729/Add.2	11/14/2018	Not given	Illuminating candles (HS 34)
 Uganda	UGA/758/Add.2	11/12/2018	Not given	Playground Surfacing
 Uganda	UGA/759/Add.2	11/12/2018	Not given	Occupational safety
 Uganda	UGA/760/Add.2	11/12/2018	Not given	Occupational safety
 Uganda	UGA/761/Add.2	11/12/2018	Not given	Generalities, Terminology
 Uganda	UGA/762/Add.2	11/12/2018	Not given	Personal climbing equipment
 Uganda	UGA/763/Add.2	11/12/2018	Not given	Laboratory chemicals, laboratory samples
 Uganda	UGA/764/Add.2	11/12/2018	Not given	Air quality, Occupational safety
 Uganda	UGA/765/Add.2	11/12/2018	Not given	Occupational safety
 Uganda	UGA/766/Add.2	11/12/2018	Not given	Personal Protective Equipment
 Uganda	UGA/767/Add.2	11/12/2018	Not given	Amusement Devices
 Uganda	UGA/768/Add.2	11/12/2018	Not given	Trampoline courts
 Uganda	UGA/769/Add.2	11/13/2018	Not given	Adventure tourism
 Uganda	UGA/770/Add.2	11/13/2018	Not given	Amusement rides, amusement devices. Roundabouts, swings, shooting galleries and other fair-ground amusements; travelling circuses and travelling menageries; travelling theatres (HS 9508)
 Uganda	UGA/771/Add.2	11/13/2018	Not given	Amusement railway rides, amusement devices, amusement facilities.
 Uganda	UGA/772/Add.2	11/12/2018	Not given	Pressure water-jet cleaning equipment, pressure water-jet cutting equipment
 Uganda	UGA/773/Add.2	11/12/2018	Not given	Occupational safety
 Uganda	UGA/774/Add.2	11/12/2018	Not given	Occupational safety
 Uganda	UGA/691/Add.1/Corr.1	11/23/2018	Not given	Hair spray
 Uganda	UGA/691/Corr.1	11/23/2018	Not given	Hair spray
 Uganda	UGA/1000	11/26/2018	01/25/2019	Edible Sugarcane (HS 1212)
 United Arab Emirates	ARE/451	11/13/2018	01/12/2019	Food products

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United States	USA/1409	11/01/2018	11/26/2018	Closed-circuit escape respirators; - Ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus (HS 901920)
 United States	USA/1410	11/05/2018	11/26/2018	Rotorcraft VAT Model S-52L
 United States	USA/1411	11/05/2018	12/17/2018	Emissions
 United States	USA/1412	11/05/2018	11/26/2018	Ultrasound cyclodestructive device
 United States	USA/836/Add.1	11/06/2018	Not given	Laser products
 United States	USA/1212/Add.1	11/06/2018	Not given	Home-use medical devices
 United States	USA/1287/Add.1	11/06/2018	Not given	Cosmetics
 United States	USA/1408	10/30/2018	11/19/2018	Chemicals in food products
 United States	USA/1411/Add.1	11/07/2018	Not given	Emissions
 United States	USA/665/Rev.1/ Add.1	11/12/2018	Not given	Greenhouse gas emissions and fuel economy standards
 United States	USA/827/Rev.3	11/12/2018	Not given	Formaldehyde emissions, composite wood products
 United States	USA/1242/Add.1 /Corr.1	11/13/2018	Not given	Hazard materials transport
 United States	USA/1413	11/08/2018	Not given	Brain trauma assessment test
 United States	USA/1414	11/08/2018	Not given	Endoscopic electrosurgical clip cutting system
 United States	USA/1415	11/08/2018	Not given	Fluid jet system for prostate tissue removal
 United States	USA/1416	11/08/2018	Not given	Next generation sequencing based tumor profiling test
 United States	USA/1417	11/08/2018	Not given	Herpes virus nucleic acid-based cutaneous and mucocutaneous lesion panel
 United States	USA/1418	11/12/2018	12/10/2018	Wood-based structural-use panels (HS 4418)
 United States	USA/1419	11/15/2018	Not given	External upper limb tremor stimulator
 United States	USA/1420	11/15/2018	Not given	Positive airway pressure delivery system
 United States	USA/1421	11/15/2018	Not given	Light based energy source device for topical application
 United States	USA/1422	11/15/2018	Not given	Hemostatic device for intraluminal gastrointestinal use
 United States	USA/1423	11/15/2018	Not given	Thermal vestibular stimulator for headache
 United States	USA/1424	11/15/2018	Not given	Intranasal electrostimulation device for dry eye symptoms
 United States	USA/1425	11/15/2018	Not given	High flow humidified oxygen delivery device
 United States	USA/1426	11/15/2018	Not given	Active implantable bone conduction hearing system
 United States	USA/1069/Add.1	11/20/2018	Not given	Recreational vehicles
 United States	USA/1337/Add.1	11/20/2018	Not given	Air emission sources
 United States	USA/1395/Add.2	11/20/2018	Not given	Chemical substances
 United States	USA/1427	11/20/2018	1/23/2019	Nuclear power plant engineering
 United States	USA/1428	11/20/2018	12/31/2018	Chemical substances
 United States	USA/994/Add.1	11/27/2018	Not given	Plastic pipe

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United States	USA/1243/Add.2	11/27/2018	Not given	Passenger equipment safety standards
 United States	USA/1337/Add.1/Corr.1	11/27/2018	Not given	Air emission sources
 United States	USA/1405/Add.1	11/27/2018	Not given	Motor vehicles, driving automation
 United States	USA/1176/Rev.1/Add.1	11/30/2018	Not given	Petroleum refinery emissions
 United States	USA/1362/Add.1	11/30/2018	Not given	Volatile organic compounds
 United States	USA/1429	11/30/2018	03/26/2019	Wine, distilled spirits, and malt beverages; Beer made from malt (HS 2203), Wine of fresh grapes, including fortified wines; grape must other than that of heading 20.09 (HS 2204), Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances (HS 2205), Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included (HS 2206), Undenatured ethyl alcohol of an alcoholic strength by volume of 80% vol or higher; ethyl alcohol and other spirits, denatured, of any strength (HS 2207), Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol; spirits, liqueurs and other spirituous beverages (HS 2208)
 United States	USA/1430	11/30/2018	01/28/2019	Hazardous materials
 Uruguay	URY/25	11/15/2018	02/13/2019	Ready-to-eat foods, packaged in the absence of the customer, available in the national territory
 Uruguay	URY/26	11/15/2018	Not given	Foods packaged in the absence of the customer
 Yemen	YEM/156	11/13/2018	01/12/2019	Food products

CBSA Advance Rulings

No [advance rulings](#) were posted by the Canada Border Services Agency (CBSA) during the period covered by this Update.

CBP Rulings: Downloads and Searches

As US Customs and Border Protection (CBP) issues several thousand rulings a year, it is not practical to list each ruling. However, almost all rulings issued by US Customs or CBP from 1993 to the present and many issued before 1993 are available for search and downloading using the [CROSS search engine](#). Over 190,000 such rulings are in the database.

CBP Rulings: Revocations or Modifications


The following table summarizes proposals made or actions taken that were published in the weekly [Customs Bulletin and Decisions](#) during the past month by US Customs and Border Protection pursuant to 19 U.S.C. §1625(c) to revoke or modify binding rulings or treatment previously accorded to substantially identical merchandise.

Published in CBP Bulletin (P) Proposed (A) Action	Product(s) or Issue(s)	Ruling(s) to be Modified (M) or Revoked (R)		Old Classifi- cation or Po- sition	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
Proposed Revocations/modifications							
(P)11-14-18	Tariff classification of wall- paper strippers	NY 898469	R	8516.10.00	HQ H297833	8516.79.00 [GRI 1,6; AUSR1(a); EN]	(C) 12-14-18
	Tariff classification of a plastic hard drive storage case known as a Hudzee case	NY N287024	R	3924.90.56	HQ H296920	3926.90.99 [GRI 1, 6; EN 39.24]	
	Tariff classification of twist- able colored pencils.	NY R00817	R	9609.10.00	HQ H293295	9608.40.40 [GRI 1, 6; EN 96.08;	
	Tariff classification of plastic play food packaged in a plastic backpack	PC K88915	M	9503.00.00	HQ H300680	4202.92.45 [GRI 1, 3(b); Chap. 42 AUSN 1, Chap 95 N 1(d), 4; EN to GRI 5]	
	Tariff classification of a cer- tain men’s woven shirt with a magnetic front closure and magnetic sleeve cuff closures and a men’s wo- ven suit with magnetic clo- sures	NY N278872	M	6205.20.2026 & 9817.00.96	HQ H300625	Not 9817.00.96 (these garments are not classifiable as articles for the handicapped)	
		NY N282688	M	6203.12.2010 & 9817.00.96	HQ H300660		
	Tariff classification of arti- cles of soapstone or stea- tite	NY N245635 HQ 958353 NY N156975 NY 811779 NY B86726 NY H80981 NY N063856	R R R R R R R	7116.20.40	HQ H250466	6802.99.00 [GRI 1, 6; chap 71 N1, Chap 68 N 1(d); EN 68.02, 71.03, EN 71.16]	
NY N156155 NY 811379		R R	7116.20.40 / 7116.20.35				
(P) 11-28-18	Tariff classification of MetaSmart Dry.	HQ H262551	R	2930.90.91	HQ H284810	2309.90.95 [GRI 1, 6; Chap 23n1, chap 29n1; EN 23.09, EN 29.30]	(C) 12-28-18
Revocations/Modifications							
(A) 11-28-18	Tariff classification of soiled dish tables and undercoun- ter dish tables made of stainless steel	NY N278687	M	7324.10.00 GRI 1, 3(a)	HQ H281936	7324.10.00 [GRI 1, 6; Chap. 94 n2; EN 73.24]	(E) 01-28-19*
	Tariff classification of Poly Bd R-20LM	NY N034669	R	4002.20.00	HQ H286021	3902.90.00 [GRI 1, 6; Chap 39n 2(l), Chap 40n 4(a)]	

* incorrectly shown as 2018 in the *Customs Bulletin*

European Classification Regulations

The table below shows the Classification Regulations that were published in the *Official Journal* during the period covered by this *International Trade Compliance Update*.

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
<p>(EU) 2018/1785 of 15-11-18</p>	<p>Insulated cables (so-called 'stack cables') in various lengths fitted with connectors at both ends.</p> <p>Each cable consists of 32 insulated single conductors for a voltage not exceeding 1 000 V, bundled into 16 sheathed pairs which are not twisted. These pairs are covered by a metal foil and metal threads.</p> <p>The cables connect switches that form switching stations (so-called 'stacks') used in telecommunication networks (Local Area Networks (LAN)). They enable the bidirectional transfer of data between switches using Ethernet technology.</p> <p>The cables do not have any additional functions (for example, to supply electric power).</p> <p>See image</p> 	<p>8544 422 10</p>	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8544, 8544 42 and 8544 42 10 .</p> <p>Data transfer between apparatuses using telecommunication technology, such as Ethernet, is considered telecommunication for the purposes of CN code 8544 42 10 (see Commission Implementing Regulation (EU) No 1112/2012 (1). The cables in question are designed to be used in telecommunication networks configured as LAN. Consequently, they are considered to be electrical conductors, fitted with connectors, used in telecommunication networks (see also CN Explanatory Notes to subheading 8544 42 10).</p> <p>The articles are therefore to be classified under CN code 8544 42 10 as other electric conductors for a voltage not exceeding 1 000 V, fitted with connectors, of a kind used for telecommunications.</p>
<p>(EU) 2018/1864 of 28-11-18</p>	<p>A product composed of the following ingredients (% by weight):</p> <ul style="list-style-type: none"> – fish oil 99,7307, – tocopherols 0,1885, – sunflower oil 0,0808. <p>The fish oil is a mixture of oils made from the following families of fish: <i>Engraulidae</i>, <i>Osmeridae</i>, <i>Carangidae</i>, <i>Clupeidae</i>, <i>Salmonidae</i> and <i>Scombridae</i>. The fish oil is not a fish-liver oil.</p> <p>The tocopherols are intentionally added to the fish oil to prevent lipid oxidation. The sunflower oil acts as a carrier and as a bulking agent for the tocopherols before mixing them with the fish oil. In addition, the sunflower oil ensures that the tocopherols are properly dissolved in the fish oil during mixing.</p> <p>The product is presented in bulk for use in the production of soft gelatine capsules.</p>	<p>1517 90 99</p>	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 1517, 1517 90 and 1517 90 99.</p> <p>The product cannot be classified under heading 1504 as a fish oil due to its mixture with sunflower oil as the text of the heading does not allow for mixtures of animal and vegetable oils.</p> <p>Edible mixtures of animal and vegetable oils are to be classified under heading 1517 (see also the Harmonized System Explanatory Notes to heading 1517 , first paragraph, point (3)).</p> <p>The product is therefore to be classified under CN code 1517 90 99 as an edible mixture of animal and vegetable oils.</p>

Amendments to the CN Explanatory Notes

No explanatory notes to the *Combined Nomenclature of the European Union* were published in the *Official Journal* during the period covered by this *International Trade Compliance Update*.

Section 337 Actions

In the United States, section 337 of the Tariff Act of 1930 as amended (19 U.S.C. §1337) provides *in rem* relief from unfair practices in import trade, including unfair methods of competition in the importation of articles, importation and sale in the United States of articles which infringe US patents, registered trademarks, copyrights or mask works. Listed below are 337 actions published during the past month by the US International Trade Commission, the independent United States agency charged with enforcement of section 337.

Inv. №	Commodity	Action
337-TA-1012	Certain Magnetic Data Storage Tapes and Cartridges Containing the Same	(CONSOLIDATED MODIFICATION AND ENFORCEMENT PROCEEDING) Commission Determination Not to Review an Initial Determination Terminating the Modification Portion of the Consolidated Proceeding
337-TA-1046	Certain Non-Volatile Memory Devices and Products Containing Same	Commission Determination To Rescind Remedial Orders Issued in This Investigation Based Upon License and Settlement
337-TA-1053	Certain Two-Way Radio Equipment and Systems, Related Software and Components Thereof	Commission Decision To Affirm-in-Part, Modify-in-Part, Reverse-in-Part, and Strike Certain Portions of a Final Initial Determination Finding a Violation of Section 337; Issuance of Limited Exclusion Order and Cease and Desist Orders; and Termination of the Investigation
337-TA-1059	Certain Digital Cameras, Software, and Components Thereof	Commission Determination to Review-In-Part a Final Initial Determination Finding a Violation of Section 337; Request for Written Submissions; Extension of Target Date for Completion of the Investigation
337-TA-1076	Certain Magnetic Data Storage and Tapes and Cartridges Containing the Same (II)	Notice of Requests for Statements on the Public Interest
337-TA-1119	Certain Infotainment Systems, Components Thereof, and Automobiles Containing the Same	Commission Determination to Review In Part, and on Review to Modify, an Initial Determination Granting-In-Part and Denying-In-Part Complainant's Motion to Amend the Complaint and Notice of Investigation to add Respondents
337-TA-1121	Certain Earpiece Devices and Components Thereof	Notice of a Commission Determination Not to Review an Initial Determination Granting a Motion for Leave to Amend the Complaint and Notice of Investigation

In addition to the above actions, the ITC has published notices indicating that it has received complaints filed on behalf of the following companies alleging violations of §337 with regard to the listed commodities and soliciting comments on any public interest issues raised by the complaints:

Ref. №	Commodity	Complaint filed on behalf of:
DN 3346	Certain Electronic Nicotine Delivery Systems and Components Thereof	Juul Labs, Inc.
DN 3354	Certain Cartridges for Electronic Nicotine Delivery Systems and Components Thereof	Juul Labs, Inc.

Antidumping, Countervailing Duty and Safeguards Investigations, Orders & Reviews

In order to assist our clients in planning, we are listing antidumping, countervailing duty and safeguards notices published or posted during the past month from the US, Canada, Mexico, the EU, Australia, India, Brazil, and occasionally other countries. (Click on blue text for link to official document.)

Key: AD, ADD=antidumping, antidumping duty; CV, CVD=countervailing duty or subsidy; LTFV=less than fair value.



United States Department of Commerce, International Trade Administration (ITA)

Case №	Merchandise/Country	Action
A-570-928	Uncovered Innerspring Units From China	Preliminary Results of the ADD Administrative Review; 2017-2018
A-580-868	Large Residential Washers From S. Korea	Preliminary Results of the ADD Administrative Review; 2017-2018
C-580-884	Certain Hot-Rolled Steel Flat Products From S. Korea	Preliminary Results of CVD Administrative Review, 2016
A-570-900	Diamond Sawblades and Parts Thereof From China	Notice of Court Decision Not in Harmony With the Final Results of Review and Amended Final Results of the ADD Administrative Review; 2012-2013
A-580-891 A-412-826	Carbon and Alloy Steel Wire Rod from S. Korea and the United Kingdom	Initiation and Expedited Preliminary Results of ADD Changed Circumstances Review
C-533-864	Certain Corrosion-Resistant Steel Products From India	Notice of Court Decision Not in Harmony with the Affirmative Final Determination and CVD Order
A-560-828	Certain Uncoated Paper From Indonesia	Preliminary Results of ADD Administrative Review; 2017-2018
A-570-071 C-570-072	Sodium Gluconate, Gluconic Acid, and Derivative Products From China	ADD and CVD Orders
A-357-820 C-357-821	Biodiesel From Argentina	Initiation of Changed Circumstances Reviews of the ADD and CVD Orders
A-201-830	Carbon and Certain Alloy Steel Wire Rod From Mexico	Preliminary Results of ADD Administrative Review; 2016-2017
A-602-809	Certain Hot-Rolled Steel Flat Products From Australia	Preliminary Results of ADD Administrative Review; 2016-2017
A-588-874	Certain Hot-Rolled Steel Flat Products From Japan	Preliminary Results of ADD Administrative Review and Preliminary Determination of No Shipments; 2016-2017
A-489-826	Certain Hot-Rolled Steel Flat Products From Turkey	Preliminary Results of ADD Administrative Review and Preliminary Determination of No Shipments; 2016-2017
A-580-883	Certain Hot-Rolled Steel Flat Products From S. Korea	Preliminary Results of ADD Administrative Review; 2016-2017
C-560-829	Certain Uncoated Paper From Indonesia	Rescission of 2017 CVD Administrative Review
C-533-882	Large Diameter Welded Pipe From India	Final Affirmative CVD Determination
C-570-078	Large Diameter Welded Pipe From China	CVD Investigation - Final Affirmative Determination
A-201-842 A-580-868 C-580-869	Large Residential Washers From S. Korea and Mexico	Preliminary Results of Changed Circumstances Reviews of the ADD orders and the CVD Order regarding S. Korea
A-821-802	Uranium From the Russian Federation	Agreement Suspending the ADD Investigation; Preliminary Results of 2016-2017 Administrative Review and Postponement of Final Results
A-533-881	Large Diameter Welded Pipe From India	Final Determination of Sales at LTFV; 2017
A-570-077	Large Diameter Welded Pipe From China	Final Determination of Sales at LTFV
C-570-085	Certain Quartz Surface Products From China	Preliminary Affirmative Determination of Critical Circumstances, in Part, in the CVD Investigation


United States Department of Commerce, International Trade Administration (ITA)

Case №	Merchandise/Country	Action
A-570-073	Common Alloy Aluminum Sheet From China	Affirmative Final Determination of Sales at LTFV
A-570-900	Diamond Sawblades and Parts Thereof From China	Preliminary Affirmative Determination of Circumvention
C-570-074	Common Alloy Aluminum Sheet From China	Final Affirmative Determination
A-570-932	Certain Steel Threaded Rod From China	Final Results of ADD Administrative Review and Final Determination of No Shipments; 2016– 2017
A-570-601	Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From China	Rescission, in Part, of ADD Administrative Review; 2017– 2018
A-570-904	Certain Activated Carbon From China	Final Results of ADD Administrative Review; 2016–2017
A-523-808	Certain Steel Nails From Oman	Final Results of ADD Administrative Review; 2016– 2017
C-533-886 C-570-098	Polyester Textured Yarn From India and China	Initiation of CVD Investigations
A-533-885 A-570-097	Polyester Textured Yarn From India and China	Initiation of LTFV Investigations
A-570-898	Chlorinated Isocyanurates From China	Notice of Court Decision Not in Harmony with Final Results of ADD Administrative Review; 2012- 2013 and Notice of Amended Final Results
C-508-813	Magnesium From Israel	Initiation of CVD Investigation
A-508-812	Magnesium From Israel	Initiation of LTFV Investigation
C-570-070	Rubber Bands From China	Final Affirmative CVD Determination
A-570-069	Rubber Bands From China	Final Determination of Sales at LTFV
A-570-084	Certain Quartz Surface Products From China	Preliminary Determination of Sales at LTFV and Postponement of Final Determination
C-489-825	Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From Turkey	Affirmative Final Results of CVD Administrative Review
A-533-857	Certain Oil Country Tubular Goods From India	Notice of Correction to the Amended Final Determination and Amendment of the ADD Order
A-580-870	Certain Oil Country Tubular Goods from Korea	Notice of Commencement of a Compliance Proceeding Pursuant to Section 129 of the Uruguay Round Agreements Act (WTO/DS488)
C-570-068	Forged Steel Fittings From China	CVD Order
A-475-839 A-570-067	Forged Steel Fittings From Italy and China	ADD Orders
A-552-818	Certain Steel Nails From Vietnam	Rescission of Antidumping Duty Administrative Review; 2017– 2018
C-570-096	Aluminum Wire and Cable From China	Postponement of Preliminary Determination in the CVD Investigation
A-570-985	Xanthan Gum From China	Continuation of ADD Order


United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
701-TA-447 731-TA-1116	Circular Welded Carbon-Quality Steel Pipe From China	[SECOND REVIEW] Institution of Five-Year Reviews
731-TA-909	Low Enriched Uranium From France	[THIRD REVIEW] Institution of a Five-Year Review
701-TA-590 731-TA-1397	Sodium Gluconate, Gluconic Acid, and Derivative Products From China	[FINAL] Determinations that an industry in the US is materially injured by reason of imports that have been found by Commerce to be sold in the US at LTFV, and to be subsidized by the government of China.



United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
731-TA-1424	Mattresses From China	[PRELIMINARY] Determination that there is a reasonable indication that an industry in the US is materially injured by reason of imports that are alleged to be sold in the US at LTFV
701-TA-611 731-TA-1428	Aluminum Wire and Cable From China	[PRELIMINARY] Determinations that there is a reasonable indication that an industry in the US is materially injured by reason of imports that are alleged to be sold in the US at LTFV and to be subsidized by the government of China
701-TA-610 731-TA-1425-1427	Refillable Stainless Steel Kegs From China, Germany, and Mexico	[PRELIMINARY] Determination that there is a reasonable indication that an industry in the US is materially injured by reason of imports that are alleged to be sold in the US at LTFV and by reason of imports subsidized by the government of China.
731-TA-1387-1391	Polyethylene Terephthalate Resin From Brazil, Indonesia, Korea, Pakistan, and Taiwan	[FINAL] Determinations that an industry in the US is not materially injured or threatened with material injury by reason of imports that have been found by Commerce to be sold in the United States at LTFV
731-TA-1203	Xanthan Gum from China	[REVIEW] Determination that revocation of the ADD order would be likely to lead to continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time
701-TA-589 731-TA-1394-1395	Forged Steel Fittings From China and Italy	[FINAL] Determinations that an industry in the United States is materially injured by reason of imports that have been found by the Commerce to be sold in the US at LTFV, and to be subsidized by the government of China
701-TA-602 731-TA-1412	Steel Wheels From China	[FINAL] Scheduling of the Final Phase of CVD and ADD Investigations
701-TA-556 731-TA-1311	Truck and Bus Tires From China	[FINAL][REMAND] Notice of remand proceedings



Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
GC-2018-001	Certain Steel Goods - Safeguards	Order Issued
PI-2018-005	Certain Corrosion-Resistant Steel Sheet originating in or exported from the China, Chinese Taipei, India and S. Korea	Preliminary Determination of Injury
RR-2017-006	Dumping and Subsidizing: Seamless Carbon or Alloy Steel Oil and Gas Well Casing, originating in or exported from China.	Order and Reasons Issued



Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
CSWP3 2018 IN	Carbon Steel Welded Pipe from Pakistan, the Philippines, Turkey and Vietnam	Preliminary Determination – Statement of Reasons
CSWP1 2018 ER	Dumping and Subsidizing: Certain Carbon Steel Welded Pipe from China	Expiry Review Determination – Statement of Reasons
COR 2018 IN	Certain Corrosion-Resistant Steel Sheet from China, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei), India and S. Korea	Preliminary Determinations – Statement of Reasons



Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
CT 2018 ER	<i>Dumping:</i> Certain Copper Tube originating in or exported from Brazil, China, Greece, Mexico and South Korea; <i>Subsidizing:</i> same goods originating in or exported from China	Notice of Initiation of Expiry Review Investigation
FISC 2018 SP	<i>Dumping:</i> Certain Fabricated Industrial Steel Components originating in or exported from China, South Korea, Spain, the UAE and the UK; <i>Subsidizing:</i> Same originating in or exported from China	Notice of Scope Ruling - Scope Proceeding - Statement of Essential Facts [Liquid Natural Gas Modules including Pipe Rack Modules]
FISC 2018 SP 02	<i>Dumping:</i> Certain Fabricated Industrial Steel Components originating in or exported from China, South Korea, Spain, the UAE and the UK; <i>Subsidizing:</i> Same originating in or exported from China	Scope Proceeding - Statement of Essential Facts [Liquid Natural Gas Modules including Pipe Rack Modules]
SR 2018 IN	Dumping and Subsidizing of Certain Sucker Rods originating in or exported from China	Statement of Reasons concerning Final Determinations



NAFTA Panels

Case Number	Merchandise/Country	Action
USA-CDA-2018-1904-07	Uncoated Groundwood Paper From Canada	Notice of NAFTA Request for Panel Review of U.S. USITC's final injury determination



Mexico - Ministry of Economy

Ref. №	Merchandise/Country	Action
EC 15/18	Seamless steel pipes originating in China	Resolution declaring the initiation of an AD review
15/17	Short fiber polyester originating in t China, regardless of the country of export	Preliminary Resolution of the AD investigation on imports of



Argentina Ministry of Production and Labor

Ref. Number	Merchandise/Country	Action
Res. 107/2018	Certain Radial Ball Bearings from China	ADD set for goods below minimum FOB export value
Res. 108/2018	Certain Paper and Cardboard Stuccoed by one or both sides with kaolin or other inorganic substances, ...from China,	ADD and non-preferential origin requirements
Res. 117/2018	Steel Drums (200-230 l.) with removable lids from Chile	ADD changed circumstances and expiry review and non-preferential origin requirements.
Res. 123/2018	Vulcanized Rubber Conveyor Belts from China	ADD changed circumstances and expiry review
Res. 124/2018	Stoneware Slabs and Tiles fine "porcelain" and "porcelain", unvarnished or enameled, for flooring or covering, originating in China	ADD for 5 years after changed circumstances and expiry review and non-preferential origin requirements



Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
CAMEX Res. № 83	Cast iron and / or alloy steel grinding bodies for use in mills, originating in India	The Public Interest Assessment Technical Group - Gtip, concerning the application of definitive ADD and investigation under way for the application of compensatory measures
CAMEX Res № 88	Biaxially oriented films, plates, sheets, foils, foil and strip of poly (terephthalate) of a thickness of 5 micrometers or more, and not more than 50 micrometers, metallized or not, untreated or coextruded, chemically or corona-discharged (PET film) treatment, originating in Bahrain and Peru	Public Interest Assessment Technical Group (Gtip), on the possible application of ADD



European Union

Reference	Merchandise/Country	Action
2018/C 402/06	Stainless steel wires from India	Notice of the expiry of certain anti-dumping measures on 09-11-2018
(EU) 2018/1684	Lever arch mechanisms originating in China	Commission Implementing Regulation imposing a definitive ADD following an expiry review
(EU) 2018/1690	Certain pneumatic tyres, new or re-treaded, of rubber, of a kind used for buses or lorries and with a load index exceeding 121 originating in China	Commission Implementing Regulation imposing definitive CVD and amending Commission Implementing Regulation (EU) 2018/1579 imposing a definitive ADD and collecting definitively the provisional duty imposed
(EU) 2018/1703	Ammonium nitrate originating in Russia	Commission Implementing Decision terminating the partial interim review
(EU) 2018/1711	Certain open mesh fabrics of glass fibres originating in China	Date of application of the exemptions granted to Indian exporting producers (anti-circumvention investigation)
(EU) 2018/1712	Certain steel products	Commission Implementing Regulation amending Implementing Regulation imposing provisional safeguard measures
(EU) 2018/1722	Ammonium nitrate originating in Russia	Commission Implementing Regulation amending Implementing Regulation imposing a definitive ADD following an interim review
2018/C 420/05	Ceramic tableware and kitchenware originating in China	Corrigendum to notice concerning the AD measures in force in respect of imports into the Union - change of the names of companies subject to the AD rate for cooperating non-sampled companies
2018/C 430/05	Citric Acid from China	Notice concerning the AD measures in force : change of name and address of a company subject to an individual duty rate
2018/C 430/06	Citric Acid from China	Notice concerning undertakings offered in connection with the AD proceeding: change of name and address of a company that has offered an undertaking



Australian Anti-Dumping Commission

Ref. №	Merchandise/Country	Action
2018/156	Aluminium Extrusions From Malaysia #490	Extension of time to publish the Statement of Essential Facts and Final Report
2018/163	Resealable Can End Closures From Malaysia, the Philippines and Singapore #EX0073	Initiation of an Exemption Inquiry
2018/165	Aluminium Road Wheels From China #464	Findings in Relation to a Revocation Review



Australian Anti-Dumping Commission

Ref. №	Merchandise/Country	Action
2018/168	Steel Pallet Racking From China and Malaysia #441	Amendment to Securities
2018/170	Tomato Products, Prepared or Preserved From Italy #488	Extension of time granted to issue the Statement of Essential Facts and Final Report
2018/171	Steel Reinforcing Bar From Korea and Taiwan #486/489	Extension of time to issue Statement of Essential Facts and Final Report
2018/172	Quenched and Tempered Steel Plate From Japan, Finland and Sweden	Expiry of Measures
2018/173	Hot Rolled Structural Steel Sections From Japan, Korea, Taiwan and Thailand	Expiry of Measures
2018/174	Power Transformers From Indonesia, Taiwan, Thailand	Expiry of Measures
2018/175	Steel Reinforcing Bar From Turkey #495	Initiation of a Dumping and Subsidisation Investigation
2018/176	Various	Monthly Status Report - October 2018
2018/177	Railway Wheels From China and France #466	Further extension of time granted to issue Final Report
2018/178	A4 Copy Paper From Finland, Russia, Korea and Slovakia #463	Revision of Securities
2018/180	Resealable Can End Closures From Malaysia, Philippines and Singapore #496	Initiation of a Review of Measures
2018/181	Alloy Round Bar From China #384	Extension of time to Issue Final Report
2018/182		New Approved Form - Application for the publication of dumping and/or countervailing duty notices
2018/183	Zinc Coated (Galvanised) Steel From China, Korea, Taiwan #492	Termination of Accelerated Review
2018/184	PVC Flat Electric Cables From China #469	Extension of time to publish Statement of Essential Facts



China Ministry of Commerce (MOFCOM)

Ref. №	Merchandise/Country	Action
№ 75, 2018	Pyridines originating in India and Japan	Filing of a final review of the aAD measures
№ 85, 2018	Methyl ethyl ketone originating in Japan and Taiwan	Filing of a final review of the AD measures
№ 86, 2018	Solar-grade Polysilicon Originating in the EU	Terminating the AD and CV Measures
№ 89, 2018	Barley from Australia	Filing of an AD investigation
№ 90, 2018	p-methoxybenzyl 7-phenylacetamido-3-chloromethyl-4-cephalosporanic acid from India	AD investigation
№ 91, 2018	p-methoxybenzyl 7-phenylacetamido-3-chloromethyl-4-cephalosporanic acid from India	Anti-subsidy investigation



Government of India Ministry of Finance (Department of Revenue)

Notification №	Merchandise/Country	Action
55/2018-Cus (ADD) 15-11-18	Ofloxacin Ester originating in or imported from China PR	Definitive ADD imposed for a period of 3 years


Government of India Ministry of Commerce and Industry (Department of Commerce)

File № and Date	Merchandise/Country	Action
ORAL HEARINGS		
14/04/2013-DGAD 15-11-18	Normal Butanol or N-Butyl Alcohol originating in or exported from European Union, Malaysia, Singapore, South Africa and USA	Schedules oral hearing on 22 November, 2018 in change of name request by exporter
14/1/2014-DGAD 20-11-18	Cold Rolled Flat Products of Stainless Steel width 600 mm to 1250 mm originating in or Exported from	Schedules oral hearing on 26 November, 2018 in change of name request by trader
14/1/2014-DGAD 22-11-18	China PR, European Union, South Africa, Taiwan, Thailand, USA and Korea	Postpones oral hearing to 6 December, 2018 in change of name request by trader
FINAL FINDINGS		
6/3/2018-DGAD 20-11-18	Flax Yarn of below 70 Lea Count originating in or exported from China PR	Corrigendum issued in Final Findings
7/15/2018-DGAD 22-11-18	Methylene Chloride originating in or exported from the European Union and the USA	Final Findings issued in Sunset Review Investigation
7/10/2017-DGAD 22-11-18	Jute Products viz – Jute Yarn/Twine (multiple folded/cabled and single), Hessian Fabric and Jute Sacking Bags originating in or exported from Bangladesh and Nepal	Final Findings issued in New-Shipper Review Investigation requested by M/s Janata Jute Mills Ltd. (P) concerning Sacking Bags
OTHERS		
6/17/2018-DGTR 09-11-18	Continuous Cast Copper Wire Rods originating in or exported from Indonesia, Malaysia, Thailand and Vietnam	Time for filing questionnaire response extended until 26 November, 2018 in Anti-subsidy Investigation
7/34/2018-DGTR 20-11-18	Poly Vinyl Chloride Suspension Grade Resin from China PR, Thailand and USA	Time for filing questionnaire response extended until 29 December, 2018 in Anti-subsidy Investigation



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Opportunity to Request Administrative Review

In a November 1, 2018 *Federal Register* [notice](#), the US Department of Commerce announced that it will receive requests to conduct administrative reviews of various antidumping (AD) and countervailing duty (CVD) orders and findings with October anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Brazil: Circular Welded Non-Alloy Steel Pipe	A-351-809	11/1/17-10/31/18
India: Welded Stainless Pressure Pipe	A-533-867	11/1/17-10/31/18
Indonesia: Monosodium Glutamate	A-560-826	11/1/17-10/31/18
Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses	A-560-823	11/1/17-10/31/18
Mexico: Certain Circular Welded Non-Alloy Steel Pipe	A-201-805	11/1/17-10/31/18
Seamless Refined Copper Pipe and Tube	A-201-838	11/1/17-10/31/18
Steel Concrete Reinforcing Bar	A-201-844	11/1/17-10/31/18
S. Korea: Certain Circular Welded Non-Alloy Steel Pipe	A-580-809	11/1/17-10/31/18
Taiwan: Certain Circular Welded Non-Alloy Steel Pipe	A-583-814	11/1/17-10/31/18
Certain Hot-Rolled Carbon Steel Flat Products	A-583-835	11/1/17-10/31/18
Thailand: Certain Hot-Rolled Carbon Steel Flat Products	A-549-817	11/1/17-10/31/18
The PR of China: Fresh Garlic	A-570-831	11/1/17-10/31/18
Certain Cut-To-Length Carbon Steel	A-570-849	11/1/17-10/31/18
Certain Hot-Rolled Carbon Steel Flat Products	A-570-865	11/1/17-10/31/18
Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses	A-570-958	11/1/17-10/31/18
Diamond Sawblades and Parts Thereof	A-570-900	11/1/17-10/31/18

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Lightweight Thermal Paper	A-570-920	11/1/17-10/31/18
Monosodium Glutamate	A-570-992	11/1/17-10/31/18
Paper Clips	A-570-826	11/1/17-10/31/18
Polyethylene Terephthalate (Pet) Film	A-570-924	11/1/17-10/31/18
Pure Magnesium in Granular Form	A-570-864	11/1/17-10/31/18
Refined Brown Aluminum Oxide	A-570-882	11/1/17-10/31/18
Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe	A-570-956	11/1/17-10/31/18
Seamless Refined Copper Pipe and Tube	A-570-964	11/1/17-10/31/18
Ukraine: Certain Hot-Rolled Carbon Steel Flat Products	A-823-811	11/1/17-10/31/18
UAE: Polyethylene Terephthalate (Pet) Film	A-520-803	11/1/17-10/31/18
Countervailing Duty Proceedings		
India: Welded Stainless Pressure Pipe	C-533-868	1/1/17 - 12/31/17
Indonesia: Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses	C-560-824	1/1/17 - 12/31/17
The PR of China: Chlorinated Isocyanurates	C-570-991	1/1/17 - 12/31/17
Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses	C-570-959	1/1/17 - 12/31/17
Lightweight Thermal Paper	C-570-921	1/1/17 - 12/31/17
Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe	C-570-957	11/1/17 - 10/31/18
Turkey: Steel Concrete Reinforcing Bar	C-489-819	1/1/17 - 12/31/17
Suspension Agreements		
Ukraine: Certain Cut-To-Length Carbon Steel Plate	A-823-808	11/1/18 - 12/31/18

Requested Reviews

In a November 15, 2018 *Federal Register* [notice](#), the US Department of Commerce announced that it has received timely requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with September anniversary dates. See actual notices for companies requesting review:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Brazil: Emulsion Styrene Butadiene Rubber	A-351-849	2/24/17-8/31/18
India: Certain Lined Paper Products	A-533-843	9/1/17-8/31/18
Oil Country Tubular Goods	A-533-857	9/1/17-8/31/18
Mexico: Emulsion Styrene-Butadiene Rubber	A-201-848	2/24/17-8/31/18
Heavy Walled Rectangular Weld Carbon Steel Pipes and Tubes	A-201- 847	9/1/17-8/31/18
Poland: Emulsion Styrene Butadiene Rubber	A-455-805	2/24/17-8/31/18
S. Korea: Cold-Rolled Steel Flat Products	A-580-881	9/1/17-8/31/18
Emulsion Styrene Butadiene Rubber	A-580-890	2/24/17-8/31/18
Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes	A-580-880	9/1/17-8/31/18
Oil Country Tubular Goods	A-580-870	9/1/17-8/31/18
SR of Vietnam: Oil Country Tubular Goods	A-552-817	9/1/17-8/31/18
Romania: Carbon and Alloy Seamless Standard Line and Pressure Pipe (Under 4 1/2 Inches)	A-485-805	8/1/17-7/31/18
Taiwan: Narrow Woven Ribbons With Woven Selvedge	A-583-844	9/1/17-8/31/18
PR c of China: Certain Magnesia Carbon Bricks	A-570-954	9/1/17-8/31/18
Certain New Pneumatic Off-the-Road Tires	A- 570-912	9/1/17-8/31/18
Certain Steel Nails	A-570-909	8/1/17-7/31/18
Freshwater Crawfish Tailmeat	A-570-848	9/1/17-8/31/18
Hydrofluorocarbon Blends	A-570-028	8/1/17-7/31/18
Turkey: Oil Country Tubular Goods	A-489-816	9/1/17-8/31/18
Heavy Walled Rectangular Welded Carbon Steel		

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Pipes and Tubes	A- 489-824	9/1/17-8/31/18
United Kingdom: Cold-Rolled Steel Flat Products	A-412-824	9/1/17-8/31/18
Countervailing Duty Proceedings		
India: Lined Paper Products	C-533-844	1/1/17-12/31/17
S. Korea: Certain Cold-Rolled Steel Flat Products	C-580-882	1/1/17-12/31/17
PR of China: Certain Magnesia Carbon Bricks	C-570-955	1/1/17-12/31/17
Certain New Pneumatic Off-the-Road Tires	C- 570-913	1/1/17-12/31/17
Certain Passenger Vehicle and Light Truck Tires	C-570-017	1/1/17-12/31/17
Narrow Woven Ribbons with Woven Selvedge	C-570-953	1/1/17-12/31/17
Turkey: Oil Country Tubular Goods	C-489-817	1/1/17-12/31/17
Heavy-Walled Rectangular Welded Carbon Steel Pipes and Tubes	C- 489-825	1/1/17-12/31/17
Suspension Agreements		
None		

Initiation of Sunset Reviews

In a November 1, 2018, *Federal Register* [notice](#), the US Department of Commerce advised that it was automatically initiating a five-year ("Sunset") review of the antidumping and countervailing duty orders listed below.

AD/CVD DOC Case No.	ITC Case No.	Country	Merchandise
A-570-910	731-TA-1116	China	Circular Welded Carbon Quality Steel Pipe (2 nd Review)
C-570-911	701-TA-447	China	Circular Welded Carbon Quality Steel Pipe (2 nd Review)
A-427-818	731-TA-909	France	Low Enriched Uranium (3 rd Review)

Advance Notification of Sunset Reviews

In a November 1, 2018, *Federal Register* [notice](#), the US Department of Commerce advised that the following cases were scheduled for five-year ("Sunset") reviews for December 2018.

AD/CVD Proceedings - Merchandise/Country	Case No.
Steel Nails from China	A-570-909 (2 nd Review)
No Sunset Review of countervailing duty orders is scheduled for initiation in December 2018	
No Sunset Review of suspended investigations is scheduled for initiation in December 2018.	



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